

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

52nd Legislative Day

May 31, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Geo-Karis)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

...had two requests today. One is Chicago Tribune photographer for still photographs and the Illinois Information Service to film the proceedings. Is leave granted? Leave is granted. Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Tuesday, May 29th, 2001.

PRESIDENT PHILIP:

Senator Jones.

SENATOR W. JONES:

Mr. President, I move the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Jones moves to approve -- approve the -- Journal just read. There being no objection, so ordered. Senator Jones.

SENATOR W. JONES:

Mr. President, I move that reading and approval of the Journal of Wednesday, May 30th, in the year 2001, be postponed, pending arrival of the printed Journal.

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PRESIDENT PHILIP:

Senator Jones moves to postpone the reading and approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Appropriations - Senate Amendment 1 to House Bill 2125, Amendment 1 to House Bill 3489, Amendment 1 to House Bill 3440, Amendment 1 to House Bill 3491, Amendment 1 to House Bill 3493, and the Motion to Concur with House Amendments 1, 2, 3 and 4 to Senate Bill 461; to the Committee on Executive - the Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 75, Amendment 1 (and 2) to House Bill -- or, to Senate Bill 163, Amendment 1 to Senate Bill 188, Amendment 2 to Senate Bill 263, Amendment 4 to Senate Bill 372, Amendment 4 to Senate Bill 385, Amendments 1 and 2 to Senate Bill 926, Amendments 1 and 5 to Senate Bill 975, Amendments 1 and 4 to Senate Bill 1069, Amendments 1, 2 and 3 to Senate Bill 1176, Amendments 1 and 2 to Senate Bill 1504, and Conference Committee Report 1 to Senate Bill 629; and Be Approved for Consideration - the Motion to Concur with House Amendment 1 to Senate Bill 994, and the Motion to Concur with House Amendment 2 to Senate Bill 1283, and Conference Committee Report 1 to Senate Bill 1514.

PRESIDENT PHILIP:

Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

For purposes of an announcement, Mr. President.

PRESIDENT PHILIP:

State your announcement.

SENATOR RAUSCHENBERGER:

At 2:45 today, in Room 212, we're going to convene the

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Appropriation Committee of the Senate to consider an amendment to a House bill that would be -- would contain the State budget, as well as the budget implementation bills. So, Appropriation Members, if you'd plan, after caucus, to join me in 212, as close to 2:45 as possible, I'd appreciate it.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 1640, with Senate Amendment No. 1.

Nonconcurring in by the House, May 31st, 2001.

We have a like Message on House Bill 1840, with Senate Amendment 1.

Nonconcurring in by the House, May 30th, 2001.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 161, with House Amendments 1 and 3.

Passed the House, as amended, May 31st, 2001.

A like Message on Senate Bill 163, with House Amendments 1 and 2.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of -- the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 37.

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Adopted by the House, May 30th, 2001.

PRESIDENT PHILIP:

Senator Petka, for what purpose do you rise?

SENATOR PETKA:

Thank you, Mr. President. For purposes of an announcement.

PRESIDENT PHILIP:

State your announcement.

SENATOR PETKA:

Thank you, Mr. President. The Senate Committee on Executive -- or, excuse me. The -- the Executive Committee will meet at 2:45 in Room 400. Room 400, Executive Committee at 2:45.

PRESIDENT PHILIP:

Thank you. Resolutions.

SECRETARY HARRY:

Senate Resolution 172, offered by Senator Clayborne and all Members.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. We will now proceed to the Executive Session for the purpose of advise and consent. Senator Petka. Senator DeLeo. I'm sorry.

SENATOR DeLEO:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in the Message on February 28th, the year 2001; March 27th, the year 2001; May 2nd, the year 2001; May 9th, the year 2001; and the Secretary of State's appointment set forth in the Message of April 20th, 2001. Mr. President, with respect to the Message on February 28th, 2001, I would like to read the salaried appointment to which the Senate Committee on...

PRESIDENT PHILIP:

Whoop! Whoop! Whoop! Whoop! Whoop! Senator, hold it --

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hold it one minute. You've heard the motion. All those in favor, signify by saying Aye. Those opposed, Nay. The motion carried. We're at -- we are now in Executive Session. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator DeLeo, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of February 28th, 2001, reported the same back with the recommendation the Senate advise and consent to the following appointment.

PRESIDENT PHILIP:

Senator -- Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. With respect to that Message of February 28th, 2001, I'd like to read the salaried appointment of which the Senate Committee on Executive Appointment recommends that the Senate do advise and consent.

PRESIDENT PHILIP:

I -- I believe you have to -- you have to read the names.

SENATOR DeLEO:

Starting with the Illinois Labor Relations Board, the State Panel, to be a member of the -- Chairman of the Illinois Labor Relation Board, State Panel for a term ending January 24th, the year 2005, Manny Hoffman of Hazelcrest.

Mr. President, having read the salaried appointment from the Governor's Message of February 28th, the year 2001, I now seek the leave to consider the appointment of February 28th on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, the question is, does the Senate advise and consent to the nomination just made. All those in favor will vote Aye. All those opposed,

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Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 54 Ayes, no Nays, no voting Present. A majority of the Senators elected concurred by a record vote, the Senate does advise and consent to the nomination just made. Mr. Secretary.

SECRETARY HARRY:

Senator DeLeo, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 2nd, 2001, {sic} (March 27, 2001) reported the same back with a recommendation the Senate advise and consent to the following appointment.

PRESIDENT PHILIP:

Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. With respect to the Message of March 27th, 2001, I will read the salaried appointment to which the Senate Committee on Executive Appointment recommends that the Senate do advise and consent.

For the Human Rights Commission: to be a Member of the Human Rights Commission for a term ending January 17th, the year 2005, Arabel Rosales of Chicago.

Mr. President, having read the salaried appointment from the Governor's Message of March 27th, the year 2001, I now seek leave to consider the appointment of March 27th, 2001, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDENT PHILIP:

Any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the -- take the record. On the question, there are 57 Ayes, no Nays, no voting Present. A majority of the Senators elected

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concurring by a majority vote of the Senate does advise and consent to the nomination just made. Mr. Secretary.

SECRETARY HARRY:

Senator DeLeo, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 9th, 2001, reported the same back with the following recommendation, that the Senate advise and consent to the following appointments. This is a corrected report, Mr. President. Senator DeLeo, Chair of the Committee on Executive Appointments -- Governor's appointments of May 2nd, 2001, reported the same back with a recommendation the Senate advise and consent to the following appointments.

PRESIDENT PHILIP:

Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. With respect to the Message of May 2nd, 2001, I will read the salaried appointments to which the Senate Committee on Executive Appointment recommends that the Senate do advise and consent.

Starting with the State Board of Elections, to be a member of the State Board of Election for a term ending June 30th, 2005, Dan {sic} (David) Murray, Albert Porter, Wanda Rednour and Elaine Roupas.

Mr. President, having read the salaried appointments from the Governor's Message on May 2nd, the year 2001, I now seek leave to -- consider the appointments of May 2nd on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDENT PHILIP:

Is there any discussion? Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. All those in favor, signify by saying Aye -- by voting Aye. All those opposed, Nay. The voting is open.

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Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, no voting Present. A two-thirds required majority of Senators elected concurred by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator DeLeo, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 9th, 2001, reported the same back with a recommendation the Senate advise and consent to the following appointments.

PRESIDENT PHILIP:

Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. With respect to the Message of May 9th, 2001, I will read the salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent.

Starting with the Department of Employment Security Review Board, to be member, term ending January 20th, the year 2003, Mike Breslan, Stan Drassler, Rolland Lewis, Jon Walker.

For the Department of Labor, a term ending January 20th, the year 2003, John Bastert of Bolingbrook.

Department of Public Aid, to be the Inspector General of the Department of Public Aid for a term ending January 17th, the year 2005, Robb Miller of Springfield.

The Human Rights Commission, to be a member of the Human Rights Commission for a term ending January 17th, the year 2005, James Maloof of Peoria.

The Prison {sic} (Prisoner) Review Board, to be a member of the Prison Review Board for a term ending January 20th, the year 2003, Susan Finley.

To be a member of the Prison Review Board for a -- a term

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ending January 15th, the year 2007, Victor Brooks.

The Property Tax Appeal Board, to be a member of the Property Tax Appeal Board for a term ending January 5th -- 15th, the year 2007, Sharon Thompson.

For the State Mining Board, to be a member of the State Mining Board for a term ending January 20th, the year 2003, Tom Austin, Timothy Mitacek, Richard Mottershaw, Robert Pate, Carl Whitten and Scott Williams. That's for the State Mining Board, a term ending January 20th, the year 2003.

Mr. President, having read those salaried appointments from the Governor's Message of May 9th, the year 2001, I now seek leave to consider the appointments on May 9th on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDENT PHILIP:

Is there any discussion? Any discussion? The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, no voting Present. A majority of the Senators elected concurring by a record vote, the Senate does advise and consent to the nominations just made. Senator DeLeo.

SENATOR DeLEO:

Thank you, again, Mr. President. With respect to the Message on May 9th of 2001, I will -- now I'd like to read the nonsalaried appointments of which the Senate Committee on Executive Appointment recommends that the Senate do advise and consent. And please bear with me. This is a long report.

For the Board of Higher Education, to be a member of the Higher Ed for a term ending January 31st, the year 2007, Robert English, James Kaplan and Lucy Sloan.

For Board of Trustees, Eastern Illinois University, to be a

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member of Eastern Illinois University Board of Trustees for a term ending January 17th, the year 2005, Robert Manion.

To be a member of the Eastern Illinois University Board of Trustees for a term ending January 15th, the year 2007, Juliette Nimmons.

For Board of Trustees, Northeastern Illinois University, to be a member of the Northeastern Illinois Board of Trustees for terms ending January 15th, 2007, Carole Balzekas and Nancy Masterson.

For Board of Trustees in Southern Illinois University, to be a member of the SIU Board of Trustees for a term ending January 17th, the year 2005, Michael {sic} (Mark) Repking.

To be a member of the Southern Illinois Board of Trustees for a term ending January 15th, the year 2007, Molly D'Esposito, Ed Hightower and Harris Rowe.

For Board of Trustees, University of Illinois, this term will end January 8th, the year 2007, Marjorie Sodemann of Champaign.

To be a member of the Comprehensive Health Insurance Plan for a term ending July 1st, 2003, Sharon Heaton, Richard Kotz, Johanna Lund, Saul Morse and Robert Schaaf of Springfield.

East St. Louis Financial Advisory Authority, to be a member of the Authority board for a term ending August 30th, the year 2002, Jerome Jackson of East St. Louis.

Education Funding Advisory Board, to be a member of the Education Funding Advisory Board for a term ending January 17th, the year 2005, Dean Clark and Anne Davis.

The Illinois Gaming Board, to be a member of the Illinois Gaming Board for a term ending July 1st, the year 2003, Ira Rogal of Glenview.

Illinois Health Facilities Planning Board, to be a member of the Illinois Health Facilities Planning Board, a term ending June 30th, 2001, Michael Gonzalez.

To be a member of the Board for a term ending June 30th, the

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year 2002, Richard Wright.

To be a member of the Illinois Health (Facilities) Planning Board for a term ending June 30th, the year 2004, Michael Gonzalez and Bernard Weiner.

Illinois Sports Facility {sic} (Facilities) Authority, their term will end June 30th, 2003, Joel Herter and Alexander Lerner.

Illinois State Museum Board, to be a member of the Illinois State Museum Board for a term ending January 15th, the year 2003, Gerald Adelman, Jessica Jagielnik, Tony Leone and Mary Ann MacLean.

Mid-America (Intermodal) Authority Port District Board, to be a member of the Mid-America (Intermodal) Authority Port District Board for a term ending June 1st, the year 2006, Merritt Sprague of Hull.

The State Banking Board of Illinois, to be a member of the State Banking Board for a term ending December 31st, the year 2004, Joy Becker, Dean Decker and Mark Field.

State Board of Education, be a member of the State Board of Education for a term ending January 10th, the year 2007, Marjorie Branch of Chicago.

The State Board of Investment, to be a member of the State Board of Investment for a term ending January 20th, the year 2003, Susan McKeever.

The State Police Merit Board, to be a member of the State Police Merit Board for a term ending March 19th, the year 2007, Kenneth Schloemer of Moline.

State Soil and Water Conservation Advisory Board, to be a member of the State Soil and Water Conservation (Advisory) Board for a term ending January 17th, 2005, Alan Worrell.

Mr. President, having read the nonsalaried appointments from the Governor's Message of May 9th, the year 2001, I now seek leave to consider the appointments of May 9th on a roll call. Mr.

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President, would you put the question as required by our rules?

PRESIDENT PHILIP:

Thank you, Senator DeLeo. Further discussion? Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. Just a -- a comment and a question for the sponsor. Senator DeLeo, regarding the Gaming Board appointment, it's my understanding that neither Mr. Rogal himself, nor anyone in his firm, have any clients at this time directly or indirectly involved in the gaming -- gambling industry. It's further my understanding that according to the Board's own code of ethics, that neither Mr. Rogal, nor anyone in his firm, will accept any lobbying engagement from gambling interests during his term and for one year afterwards. Is that your understanding also?

PRESIDENT PHILIP:

Senator DeLeo.

SENATOR DeLEO:

That's correct, Senator.

PRESIDENT PHILIP:

All right. Any further discussion? If -- the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 56 Ayes, no Nays, no voting Present. The majority of the Senators elected concurred by the record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator DeLeo, Chair of the Committee on Executive Appointments, to which was referred the Secretary of State's Message of April 20th, 2001, reported the same back with the

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recommendation the Senate advise and consent to the following appointment.

PRESIDENT PHILIP:

Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. And finally, with respect to the Message of April 20th, the year 2001, I will read the salaried appointment on which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent.

Mr. President, for Commissioner of the Merit Commission for the Office of Secretary of State, to be a Commissioner for the Merit Commission, the Office of Secretary of State for a term ending June 30th, the year 2007, a salaried position, Monroe Flinn.

Mr. President, having read the salaried appointment from the Secretary of State's Message of April 20th, the year 2001, I now seek leave to consider the appointment of April 20th on a roll call. Mr. President, would you put the question as required by our rules?

PRESIDENT PHILIP:

Further discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 57 Ayes, no Nays, no voting Present. A majority of Senators elected concurring by the record vote, the Senate does advise and consent to the nomination just made. Thank you, Senator DeLeo. ...DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. I -- I move that the Senate arise from Executive Session now.

PRESIDENT PHILIP:

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You've heard the motion. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

To announce a Republican Caucus in the Senate President's Office immediately upon recess.

PRESIDENT PHILIP:

Senator Smith, for what purpose do you rise?

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would like to announce that there will be a Democratic Caucus in the Senate Democratic Leader's Office immediately following this Session.

PRESIDENT PHILIP:

Thank you, Senator Smith. And may I suggest that we have committee hearings -- two committee hearings running concurrently at 2:30. So that will give us -- oh, I'm sorry. 2:45. So that -- that gives us about forty-five minutes. So let's try to be prompt in those caucuses. We stand at ease until the committee hearings are over.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Klemm, what purpose do you rise?

SENATOR KLEMM:

Well, thank you, Mr. President. The Senate Executive Committee is having some difficulties getting all our printing done at one time. We've got all the photocopiers going. So I think we'll probably -- wouldn't get started till about twenty after three in Room 400. So, for the Executive Members that are

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listening in their offices, will be a little delay. About 3:20 in Room 400.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Klemm.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson, what purpose do you rise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to announce a Republican Caucus immediately, in Senator Philip's Office. A Republican Caucus immediately, Senator Philip's Office. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Watson.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Members come to the Floor. We will be going to substantive action very shortly. Committee Reports.

SECRETARY HARRY:

Senator Rauschenberger, Chair of the Committee on Appropriations, reports Senate Amendment 1 to House Bill 3440 and Amendment 1 to House Bill 3491 Be Adopted; Senate Bill 461 - the Motion to Concur with House Amendments 1, 2, 3 and 4 Be Approved for Consideration.

Senator Klemm, Chair of the Committee on Executive, reports Senate Bill 629 - the First Conference Committee Report Be Approved for Consideration; Senate Bill 75 - the Motion to Concur

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with House Amendments 1, 2 and 3, Senate Bill 163 - Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration; Senate Bill 188 - the Motion to Concur with House Amendment 1 Be Approved for Consideration; Senate Bill 263 - the Motion to Concur with House Amendment 2 Be Approved for Consideration; Senate Bill 372 - Motion to Concur with House Amendment 4, and Senate Bill 385 - Motion to Concur with House Amendment 4 Be Approved for Consideration; Senate Bill 926 - the Motion to Concur with House Amendments 1 and 2, Senate Bill 975 - Motion to Concur with House Amendments 1 and 5, Senate Bill 1176 - the Motion to Concur with House Amendments 1, 2 and 3, and Senate Bill 1504 - the Motion to Concur with House Amendments 1 and 2, all Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages.

SECRETARY HARRY:

A Message for the Governor by Michael P. Madigan, Director of Legislative Affairs, May the 31st, 2001.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, Illinois General Assembly - I previously asked for your Honorable Body to concur in the appointments and confirm the persons commensurate with the offices indicated below. Please remove the following individuals from the Senate Messages dated March 28th, 2000, and November 29th, 2000, and March 27th, 2001.

A letter from the President, dated May 31, 2001, and addressed to the Honorable Governor.

Dear Governor Ryan - Today you filed a Message with the Secretary of the Senate requesting that certain named individuals be removed from the Senate Messages dated March 28th, 2000, November 29, 2000, and March 27, 2001. The Senate Messages dated

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March 28th, 2000, and November 29th, 2000, were filed with the Senate during the 91st General Assembly. As you are aware, the 91st General Assembly is sine die. The 92nd General Assembly cannot accept any paperwork that attempts to modify actions taken in the 91st General Assembly; therefore, your request with regard to March 28th, 2000, and November 29th, 2000, is rejected. However, your request regarding the withdrawal of certain named individuals from the Message of March 27th, 2001, filed during the 92nd General Assembly, is in order and is hereby recognized.

Signed by President Philip.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 335, with Senate Amendment No. 1.

Nonconcurrent in by the House, May 31st, 2000 {sic}.

We have a like Message on House Bill 3188, with Senate Amendments 1 and 2.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title:

Senate Bill 103, with House Amendment 2.

Passed the House, as amended, May 31st, 2001.

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

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Senate Bill 435.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

Action taken by the House, May 31st, 2001.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Without objection, the Senate accedes to the request by the House for conference committees on those bills just read by the Secretary. Leave is granted. Resolutions.

SECRETARY HARRY:

Senate Resolution 173, offered by Senator Dillard and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 30, offered by Senator Cronin.

(Secretary reads title of bill)

And House Bill 859, by Senator Syverson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. I was just commenting here how fine a job you're doing today, and I just wanted the record to reflect that. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Burzynski. And happy birthday. Turn your attention to Supplemental Calendar No. 1, which has been distributed, is on the Members' desks. And turn your attention to the top of page 2, in the Order of Secretary's Desk, Concurrence of Senate Bills. We will be going to Senator Watson, Syverson,

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Philip, Walsh, Radogno and others. Top of page 2, in the Order of Secretary's Desk, Concurrence of Senate Bills, is Senate Bill 75. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their amendments, Amendments 1, 2 and 3, to Senate Bill 75.

The motion filed by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. As you may recall, Senate Bill 75, as it left the Senate, was the Brownsfield {sic} (Brownfields) Site Restoration Program. A considerable amount of negotiations went on with the Governor's Office, Department of Commerce and Community Affairs, Department of Revenue and the Illinois EPA concerning the legislation, and we now have a concurrence motion on House Amendments No. 1, 2 and 3. House Amendment No. 1 deleted everything after the enacting clause and created a Section title only for the purpose of moving the bill along. House Amendment No. 2 actually becomes the bill, and then House Amendment No. 3 is a technical amendment. And No. 2, House bill -- Amendment No. 2 creates the Brownsfield {sic} (Brownfields) Site Restoration Program Fund for the payment of -- remediation costs to be administrated by the Illinois Environmental Protection Agency with input from the Illinois Department of Commerce and Community Affairs. It actually earmarks, at the minimum, twenty percent of the funds for Cook County. It limits the cost only to abandoned and underutilized sites as defined in the Act and requires demonstration of net economic benefit, as would be decided by the Department of Commerce and Community Affairs. It has established a seven-hundred-and-fifty-thousand-dollar cap. There's an

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application fee of one thousand dollars. This is an effort to try to bring about property that is now considered challenged or obviously a brownsfield site, and we are trying to bring that back into some sort of utilization.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. I -- I, too, rise in support of this bill. I think this bill goes a long way to meeting the needs not only of the entire State that has brownfields areas and sites, but it goes a long way in assisting downstate where a lot of sites have been abandoned, and this will allow for those developers who had some concerns and -- and the program wasn't significant enough in the past for them to invest their money. So, I rise in support of this. I think this is a good piece of legislation that we all should vote in favor of.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, could you explain the -- the money component of this bill? In other words, where does the money come from, and are we increasing -- are we appropriating money from the General Revenue funds? Is it an existing fund that's being increased? Is it -- could you just explain that part for me?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much. There is no actual fund, as we --

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we would know it today. But there is the Brownsfield (Redevelopment) Loan Program that's been established and there's -- it's five -- a five-year, ten-million-dollar program. We're hoping that that -- some of that money could be allocated to this particular program.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

I couldn't hear. Was that a loan program, and is it -- are there bonds involved? Or is it -- is it a -- is it -- where does the money come from for the loans to be given, if you did say loans? I couldn't hear.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

It would be subject to appropriation, but there is a program out there now entitled the Brownsfield (Redevelopment) Loan Program. I believe it was established under the Illinois First initiative, and it is a five-year, ten-million-dollar program. Our effort is -- or, at least, we would like to think that there could be some revenue generated from that particular program that could go into this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Watson, to close.

SENATOR WATSON:

I'd appreciate the support of the Body. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 75. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays,

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none voting Present. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 163. Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 163.

Motion filed by Senator Syverson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 163, the House amendments make some changes in the SDU language. This is language that's been worked out with all the parties. And happy to answer any questions. Otherwise, ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 163. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments No. 1 and 2 to Senate Bill -- 163, and the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 188. With leave of the Body, we'll return to Senate Bill 188. Senate Bill 263. Senator Thomas Walsh. Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 263.

Motion filed by Senator Thomas Walsh.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. This bill, as it left the Senate, was an extension of the sunset provision for the detection of deception examiners. They changed the bill. House Amendment No. 1 {sic} changed it to eliminate a committee and have the Director of the Department appoint a coordinator. This is at the request of DPR, and I don't know of any opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Senator, what will be the cost -- since this did not come back to the Licensed Activities Committee, what will be the cost differential between having the committee and having an examiner that's appointed by DPR?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

My understanding of that is that it will come from the same -- it'll come from the examiners themselves. But...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

But how much money is that? Because I have no idea, and it looks like we're adding another staff person to DPR to -- for this program. And I don't remember what the -- that that was the intent of this bill, that there was any discussion of that

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relative here in the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

My understanding of it, Senator Burzynski, is that this is a cost saving. This is at the request of DPR.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Well, you know, I just want to reiterate, we'd not looked at this in the Licensed Activities Committee. I'm not sure if it -- I guess it went to Executive Committee, but I'm very hesitant to support the bill at this time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Walsh, to close. The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 263. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 6 Nays and 1 voting Present. And the Senate does concur in House Amendment No. 2 to Senate Bill 263. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 372. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 4 to Senate Bill 372.

Motion filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This amendment simply adds a

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clarification, and a good one, from the House. It clarifies that the bill only applies to electrical generating units as specified in the Illinois Administrative Code.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 372. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 4 to Senate Bill 372. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 385. Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 4 to Senate Bill 385.

Motion filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill that deals with fees that are imposed by counties. And let me go through some of the changes that the House of Representatives made in Amendment No. 4. The first thing they did is they -- they included the County of Cook in a county's ability to impose an additional ten-dollar charge for the issuing of a certificate of sale in order to defray the cost of converting a county clerk's tax extension system to computers and micrographics. And I guess my point here, and throughout the course of this bill, is technology is expensive, and some of these counties have incurred huge increases in cost because of

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technology over the last decade or so. Additionally, it made a change in -- for all counties where a county board can authorize a fee for Web-based services that can get charged. And I underline "services". When it left here -- this is a narrowing of that provision, and there's actually got to be something that the county clerk or counties' offices do in terms of a service. They can't charge for just reviewing a document. Very importantly, a huge change in this bill, probably making the bill better as it comes back over for concurrence, is any of the fees, the filing fees, have to be approved by the local county board. We are not doing it. All we are doing is making it permissive for a local county board to do and impose an increase in filing fees to offset the cost of the operation of their judicial system. As I said when this bill originally passed, this is a user fee. In my view, the people who use the court systems should have to pay for the use, somewhat, of the court system, and it holds down real estate taxes and sales taxes back in the local municipality. The House added about eighteen counties that would have the ability to increase their filing fees. And again, it's permissive, and the county boards would have to look at these fees based upon what -- their own needs and balance between real estate taxpayers, sales taxpayers, in their local areas and those who use the court. And I'm just trying to see if there are any other changes in there. I think those are the changes. I'd be happy to answer any questions, and I guess just to close, Mr. President, I do want to point out so that people understand, in the two largest counties in the State, DuPage and Cook, there hasn't been an increase in filing fees for nearly a decade. In Cook, for example, in 1992, forty-one percent of the cost of court-related costs came from those who use the courts. Today it is only twenty-nine percent. That basically means that homeowners, who may never use the court system, are bearing a much greater burden. In Cook County, the

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typical filing would only go up twelve percent. That's well below the thirty-two-percent increase in the cost of living from the last time Cook County raised their fees. And in DuPage County, my home county, the average increase -- fee increase, from the last time we raised it, is about three percent a year or the rate of inflation only. And, again, the bill is permissive. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Link.

SENATOR LINK:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Link.

SENATOR LINK:

Senator Dillard, first of all, how many new counties were added to this in this permissive bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Seventeen or eighteen.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Seventeen or eighteen. What would the increase be with these additional fifteen counties? What -- what are they presently paying and what percentage would they be going up now if their county boards were to okay this?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

That's up to the local control. It's up to the local county.

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They may go up nothing; they may go down.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

No. I want to know what can they go up. What percentage can they go up if they okay it? Can they go up five percent? Can they go up -- at ten? There's a cap that we put on this. What is the cap? Is it ten percent, twenty percent, a hundred and fifty percent?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

It would depend upon the county. And the counties are broken down by class. But, again, many of these counties, like Cook, it's been a decade since they've increased any fees at all. And the real estate taxpayers are bearing the burden, the costs, so that the lawyers and the litigants can have free use of the court system.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Well, I thank my colleague, who is a very good lawyer, because he hasn't answered my question yet. But I'd like to know what the percentage - and I'll use an exact county so we can get it even clearer - Lake County, for example, that I live in. We know what bracket it is in. What percentage can it go up?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

It varies by the type of use of the court. But for Lake County, maximum fees could be increased from -- anywhere from twenty-five to sixty percent. And I don't know when the last time

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Lake County increased their fees, so that might be, you know, in some cases, two percent a year.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Correct me if I'm wrong, but isn't that percentage on some of those upwards of one hundred, two hundred percent that it can go up in Lake County on some of the filing fees, that it can go from fifty to one hundred and fifty dollars, which I think is a lot more than thirty to sixty percent?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

My staff analysis, Senator Link, for Lake County said the maximum fees that could be increased are approximately twenty-five to sixty percent. I don't see anything higher than sixty percent. I could be wrong. And, again, I don't know when Lake County raised their fees last, and it's up to your county board to determine whether they want a real estate homeowner to pay for lawyers or do they want the lawyers to have to pay for the lawyers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Well, I understand what you're trying to get at, but one way or the other, the consumer is going to be paying for this bill. I meant the -- the attorney may be doing the front fee for it, but the consumer is going to pay for this bill. Is it not a fact, too, that presently Cook County is ranked number one and DuPage County is ranked number four in the nation for its cost in filing of fees?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Dillard.

SENATOR DILLARD:

I'm not sure that that characterization is accurate, because you compare apples to oranges. I do want to point out that just for an example, sometimes in Cook County, their fees are much less than other areas. For the appointment of a public guardian, Cook County charges nothing. It's six hundred and seven dollars in Los Angeles. It's a hundred and fifty-three dollars in Florida. New York City charges a hundred and seventy dollars, and Ohioans pay two hundred dollars. The probate of a will in Cook County is a hundred and fifty dollars. It would cost you five hundred and fifty-nine dollars to probate a will in Pennsylvania. And if you go up north to Wisconsin, they charge you ten percent of the cost of an estate to probate a will. So, you're comparing apples to oranges. And I can't agree with you that Cook County would be the highest in the nation and DuPage County would be fourth because the fees all vary, and many states have a different way of handling their court systems. So you can't characterize it like that; although, I will give you that Cook County, because it's the largest individual, localized court system in the United States of America, might be on the high end.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Well, I don't want to belabor this point and I don't want to, you know, get in an argument about apples and oranges, but -- but I -- I think the fees are extremely high. We are allowing fourteen other counties or fifteen other counties to join in on this. And it might be permissive of what we're doing, but we know for sure that these counties will be raising it. This will be another burden on the taxpayers that we're going to be adding onto this thing. I strongly suggest that every one of my

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colleagues vote No on this, and we look at the whole system in general and figure out the ways we're going to do this, instead of adding an increase. And I know it may have been a number of years since we've done this, but you know what? I think it's way too much to do for this. And I would hope that we could come back and address this in a different manner. And I would urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I move the previous question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There are eight additional speakers, Senator Walsh. Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President and Members of the Senate. A question for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

Is it -- is it true -- well, first of all, an example. You mentioned that this is -- the lawyers are going to be paying this bill. Would you agree that if a lawyer were to volunteer his time, that the client would still have to pay these fees to have access to the court?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

In most instances, lawyers are very good at passing along fees to clients and -- and others. So it'd be lawyers, but probably the litigants are the people who will bear a partial cost of using the court system.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Lauzen.

SENATOR LAUZEN:

So -- and can you tell us, is the -- are -- are all the proceeds that come from these fees required to go into the court system? Are these fees pledged to go to the court system, or do they go into a general fund?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

In Cook County, the fees go to the public safety fund, but in counties -- and it varies, but in DuPage County, it goes into the general fund. But it's the general fund, the local real estate taxpayer, that's paying about seventy to eighty percent of the cost for the lawyers and litigants today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Welch. Patrick Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment, for some reason, included a lot of counties that were included without consultation over here in the Senate. You know, some of these counties -- these additions are -- are awfully large. Champaign, DeKalb, DuPage, Kane, Kankakee, Lake, LaSalle, McHenry, McLean, Macon, Madison, Peoria, Rock Island, St. Clair, Sangamon, Tazewell, Vermilion, Will, Winnebago. You know, when the bill went out of here, it was fine. If you want to impose this in DuPage -- if you want to impose the fees in DuPage and Cook, that's fine. But one of these fees in particular, just outrageous, a minor traffic or ordinance violation, a minimum of thirty dollars, a maximum of ninety dollars. That's an increase of two hundred percent for a minor traffic violation, plus the cost of the ticket. So if you get a seat belt violation, you got to pay an extra ninety bucks to the clerk. When a court appearance required, a minimum of fifty

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and a maximum of a hundred and fifty dollars to appear on a seat belt violation, on a -- on any kind of a minor traffic violation. Wrong lane usage. I mean, this is getting out of proportion to what we're trying to do here. I understand you're trying to keep real estate taxes low, but at least real estate taxes are imposed upon people who own real estate. They have some property. These are people who just -- somebody living in an apartment gets a traffic ticket, suddenly they got to pay more than their wages to pay the ticket and the fine. You -- no wonder we have predatory lending in some of these areas in Cook County. You need 'em to -- you're going to need 'em to pay for these traffic tickets. So, this is just ridiculous. You know, if you're going to include all these counties, I think the legislators who represent those counties in the Senate should have something to do with it, in having -- instead of having a legislator from Chicago decide to add all of us. So I would urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this measure, as well. I think Senator Link said something that was interesting and it kind of got buried -- the lead got buried a little bit. Without question, the court system with the highest filing fees in America today is Cook County, when you're looking at a general jurisdictional question. Number four, in the entire country today, is DuPage County. With all due respect to a sincere sponsor, I think that this is ill-advised. It's ill-timed. It was bad when it got out of here the first time, and this bill is definitely worse now. Lawyers don't pay these fees, and those of us who practice know lawyers don't pay these fees. These fees are passed on to clients, many of whom have significant problems. I think that this has a

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disproportionate impact on those who are lowest on the economic chain, and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Trotter.

SENATOR TROTTER:

...very much, Mr. President. I rise in support of this legislation. I think it's very reasonable legislation. It -- it's permissive. It certainly says that the decision has to be on the county board if there's going to be a raise in the taxes. They are elected officials. Let them have to deal with the burden of -- of dealing with their taxpayers. I believe that we have a responsibility of at least giving them -- them the authority to do this. And I -- I would urge everyone on this side of the aisle to vote Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A couple of questions for the sponsor, if he'd yield.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. Senator Dillard, does this bill permit the -- a county officeholder to charge fees for accessing information posted on the Internet?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Senator Rauschenberger, this bill's been amended to make it better with respect to any fees that might be charged by a county official for Internet access. It came back from the House, and this amendment says that they must provide a

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service. Sort of like a user file, they can't charge you for a document, but they can charge you if they put together a package of services for you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I think that's an improvement, but -- but I would still point out that this is public information, public records being posted on a website. And the great communication tool of the World Wide Web is supposed to bring government -- make it more accessible. The -- the idea of -- of encouraging, by this bill, local county officials to erect tollgates around public information that they've paid for over the years to collect, troubles me a great deal. The other question I guess I had, is -- you know, I'm very respectful of the actions of the House. I know that they give things a lot of thought over there. To your knowledge, is Cook County a tax-capped county?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

I don't believe they are. I do want to point out, in answer to Senator Rauschenberger's previous question, in the bill, on page -- on -- on -- in the amendment on page 10, it says, "These Web-posted records shall be viewable to all persons without any fee or any {sic} charge." So, you know, that's a good modification. And again, this House Amendment No. 4 is -- in answer to Senator Welch, this is Majority Leader Barbara Currie's amendment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

So that still leaves open the possibility that if I want to

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download a file, if I'd like to collect a series of files, if I'd like to manipulate a file, and -- and take information out of a single document, those are all services that could be provided for a fee. And I -- I think that's wonderful, but I think if they want to do that, then they need to go into business, not be county officials. To the -- to my other question, since Cook County's not tax-capped, are you aware that the residential property tax rates - and I'm a property taxpayer in Cook County - are some of the lowest in the State?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Yes, I am, Senator Rauschenberger, but I do worry about small businesses who pay real estate taxes, too.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It was difficult to rise on this bill, because obviously I happen to be a lawyer and I've been with the -- vote with the Bar Association and Trial Lawyers every chance I get. But I just want to point out a couple things in this bill. It has been pointed out by Senator Dillard, fees haven't increased in ten years. Okay. I don't know -- that doesn't move me that much. But let me -- let me tell you what does. This bill left this Chamber - I think it got 30, 31 votes. Okay. It was a fee bill. Now it goes over to the House and our colleagues in the House, controlled by Democrats, basically came back and said, "Why should we go on a fee bill. Here's the way we're going to change it. It's not going to be that the Legislature is going to increase a fee. We're not going to do that county board in Cook County and county board in DuPage County. You guys think you want a fee, well,

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don't lay it on us. Here's what we're going to do. We're going to give you the authority in the statute to go raise your own local fees." It's bad enough, I don't even understand our budget that we're going to be asked to pass in about half hour, hopefully, or two hours from now, and I'm going to stand here and try to figure out if Cook County needs this or DuPage needs it? I don't know their budget. I don't have a clue. But I'll also be darned if we're going to have local officials coming to us and tell us, "Hey, vote for a fee increase so we, as county board members, could say, 'Hey, the Legislature did this to you, not us.'" So I think it's a great amendment. If you were for it before, this makes it even a better bill, because now the onus is on the Cook County board members. It's almost like calling their bluff. I kind of want to see this bill pass, because I'd like to see how those seventeen ladies and gentlemen -- let's see how they vote when they're going to be the ones that are going to have to vote for this fee increase. So I think it's a great idea. Now, secondly, let -- let me say this because -- even some of my colleagues on this side of the aisle. I -- I read the bill, and sometimes it's very difficult in the late stages. This is throughout every page. Here's what it comes down to. Mostly when it talks about a fee increase, they put the fee that it was. So let's say if you're going to file this minimum, it says "a minimum of" - that's the new language - fifteen dollars or a maximum of twenty-two. Well, what that means is, it was fifteen dollars. Says here, traffic ticket, minimum -- or, minimum forty dollars, maximum seventy-five. So the county board could say -- all we're letting the county boards do -- here's what it was. You want to keep it the way it was, terrific. You want to raise it thirty-five -- thirty bucks, go ahead. You know your budget better than ours. You are now going to take the heat for it. Local control, local responsibility and now local duty by them.

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This is -- actually turns out to be a pretty good bill. I can't wait to see it pass. I'd love to see that vote in the county board when they go to do this fee increase. This is going to be terrific. Now the onus is on them. You're going to raise it from thirty to sixty bucks? Show us how. Show us why you need this sixty bucks. That's where the hearings come, because we are not raising one, single fee. Not one. All we're saying is, local control, we'll give you permission to go do whatever you want to do, and it's strictly up to you. And that's why I think the bill's a good bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I rise in strong opposition to Senate Bill 385, concurrence motion. I voted against it before. I think it's a worse bill as it comes back to us. To call these user fees is incorrect, as some of the prior speakers have pointed out, because if you're someone who has trouble paying your bills and you get sued, when you file an answer, your fees are going to go up. This is the most -- one of the most regressive taxes you can put on. The people who get sued don't have any choice about the matter, and they're going to have their fees go up. To say we're not raising it, also I think is wrong. We cap it now. We know they can't be raised unless we pass this bill. This is a vote to raise those fees. They will happen. And to say it's being paid by the lawyers is also wrong, as Senator Link and others have pointed out. This is going to be paid by your constituents, by mine, by -- it's going to deny access to the courts who need justice. It is -- the poorest are going to be hit the hardest. And for the small businesses that we claim to be concerned about, they have to have access to the courts too and this is going to increase the fees that they have to pay. There's

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a reason that bills like this happen on the last night of Session.

I urge a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. I'm -- I'm not going to ask questions. I'm just going to make a statement. After reviewing this legislation, it is clear to me, any of us who might be influenced by the thought that somehow property taxpayers are going to benefit by this legislation, please keep in mind that there is no proviso in this bill that would require that any of the additional revenue that would be raised by any circuit court system, hence the county that that circuit court is located in, would in any way, shape or form be returned to property taxpayers. I urge that we do everything we can to work together to send a strong message that this is the wrong way to go for the reasons that I've just stated and the reasons stated by others. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Mr. President. I just want to make two more points. This is an attempt to have a balance between those who use the courts and, primarily, real estate taxpayers. As Senator Molaro pointed out, it's permissive. Your local county boards know best what the proper balance is between real estate taxpayers and those who use the courts. This bill does not raise any filing fee. Again, it's up to the county boards. And essentially, the way I look at this thing is those who use the courts should pay some small percentage, and it is a small percentage, for using the courts in the State of Illinois. And with ever-increasing real estate taxes, you know, I view this as a -- lawyers and litigants

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versus those who pay real estate taxes. And I believe this is a user fee, and we should give the people who don't use the court system some type of real estate tax relief. And that's how I view it. And that's why I'm going to vote to concur on Amendment No. 4. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 385. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 15 Ayes, 41 Nays, none voting Present. And the motion fails. Senate Bill 467. Senator -- Senator Rauschenberger. 461. Senator... Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 2, 3 and 4 to Senate Bill 461.

Motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 461 is the consensus-negotiated bill, kind of reorganizing and adding some provisions to our Early Intervention program. As people may or may not be aware, for the last year or so, we've...

PRESIDING OFFICER: (SENATOR DUDYCZ)

I -- I beg your pardon, Senator Rauschenberger. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

As people may or may not be aware, for the last year, we've had some problems in managing the growth of our Early Intervention

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program, since we've converted from a grant basis to a fee-for-service basis. Fortunately, we've been able to almost triple the number of children that we've been able to serve. But this framework puts some of the agreed changes into law so that the agency can manage within their appropriation. Essentially, it does four things. First, it establishes that the Department shall promulgate a set of family fees that are income-related and put 'em into rules. Second, it establishes a framework under which the -- the Department and the providers of these services will recover insurance. Four {sic}, it deals with how someone can waive out of either of those two provisions. And the -- the last important thing it does is it establishes a legislative oversight group that will meet quarterly to work with the Department to make sure they are successful in managing this program, which is so important to children.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I have a couple of questions for the...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Radogno.

SENATOR RADOGNO:

Well, first of all, I'd like to say that I -- I do agree this bill has a lot of good in it, and I think almost everybody who's participated in these discussions, including the providers, all agree with that. There's some concern, though, particularly from the grant-funded agencies, that if they have a problem becoming a provider under an insurance plan, that the clients that were served by that agency would then have to change agencies or change providers. Does this bill address that in any way or offer any protections?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It -- I think it offers protections to the children. I'm not sure, in the long run, it'll offer protection to grant-funded agencies. When the bill goes into effect, if a child is going to age out of the system in less than six months, they don't have to make any kind of changes at all. If they enter the program after the effective date, they can begin services immediately with whatever provider they want. If there is insurance coverage, they have, I think, sixty days to transition to an insurance provider. If that insurance provider does -- lives more than fifteen miles or thirty minutes in travel time further than the -- the nearest provider of choice, they can waive out of the requirement even to use their network provider. So, there's been an attempt, I think, to protect the children. I know there's some frustration by grant-based agencies, but the grant-based agencies need to come along with us on this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Yeah. From my understanding, they're willing to do that and certainly understand the importance of getting involved in insurance, but I think that there could be some realistic operational problems that crop up, and this is very specific with respect to -- it's actually very much micromanagement. So I guess I would ask you that if we need to make adjustments to this, if we find those problems materialize, would you be willing to support a trailer bill in the Veto Session that might address some of those concerns?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

There's absolutely nothing I would like to see happen than this program work well. If we need to make adjustments, I'll be -- absolutely do all I can to help you with the bill that you have in the House that we have positioned for this. Nothing would make me happier than to see this get under control and work better for children. I look forward to working with you on it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you. I have one more question. With respect to mediation, which I understand that federal law requires, does this bill in any way require that mediation to occur or blueprint how it should occur?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The bill provides, as most of our programs do, for due process hearings. There's no requirement for mediation and there isn't in most State programs. The advocates who suggested mediation maybe have a very good idea. The problem is they brought it kind of late in the process. It might be a subject for the -- for the trailer bill. I certainly have no objections to a mediation process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I was struck by the -- the oversight function -- the oversight committee that you mentioned in your -- in your initial remarks, and I want to applaud you because in that Section, on page 27, it says, with respect to the Early Intervention Legislative Advisory Committee, that no later

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than sixty days after the effective date of this amendatory Act of the 92nd General Assembly, there shall be convened a -- the Early -- Intervention Legislative Advisory Committee. The majority and minority leaders of the General Assembly shall each appoint two members to the Committee. That truly indicates to me that that is a bipartisan committee, and it's the first such clause that I have seen this semester that indicates that there is a true -- true bipartisanship going to be exerted on this bill, and I applaud you, Senator Rauschenberger, for that language.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. For the record, the ARC and there are other providers that are concerned about this, and I just want to make certain that - and Senator Rauschenberger has said that he will work on this - if maybe they can start convening and working on it during the summer with the Advisory Committee, because they -- as they see this, there can be some people who have been going to providers that may not be able to access those that are close to them, that are used to them, because the workings of the insurance. And there were ten other things that they said that possibly be -- could be a concern. So I would look forward to Senator Rauschenberger's commitment on working on this so we can work on a trailer bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. And I also want to applaud Senator Rauschenberger for his work on this. And the fact that this has cost us a lot of money, I think, has shown that there is a need in the State. And I'm glad that what we did -- didn't do is raise the level at which somebody was eligible to get involved in Early

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Intervention, 'cause there was talk about doing that to save money. And -- and -- and all we would have done then is push this problem off to our public schools. This is the right thing to do, and I'm -- I -- I applaud your efforts there. But I do agree with Senator Radogno. And I know that there is concern from the providers, on behalf of the families, that there may -- may be some problem with the private insurance and that families may not get the private insurance. And -- and I know you put the thirty minutes or twenty miles or nineteen miles. If there is a serious problem, I would hope that we would come back in the fall and take a look at that. If there -- we hear back from the families saying that they were rejected by their insurance companies, that we might be able to -- to help the families more than the providers. But I do appreciate your efforts and do plan on voting Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? If not, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Well, I want to thank the speakers who rose in support, and I -- I always appreciate it when Senator Demuzio has a kind word to say about something that I've done legislatively, even if it is a House amendment. I would point out to some people though, if you've heard from some proponents who have now become opponents, I would like to point a couple things out to you, and I think Senator Sullivan could probably grasp this concept better than most. Months have gone into negotiating, excruciatingly, on the details of this bill. Many groups, from the beginning, have opposed the concept of using private insurance to cover Early Intervention costs. The problem is we have a limited resource base. Every dollar of insurance we add adds another dollar of care to a child. So I think it's the right thing to do. When ARC or some groups come to you and say they're uncomfortable, you need to know that Phil Milsch represented them -- through -- through the

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entire discussions. They agreed -- they agreed to the language in this bill, or had access to -- to disagree. So, I think it's okay that there's still concern, but just be cautious and understand that the people who worked on this bill, including the Department, including many advocacy groups, including Ounce of Prevention, and -- and -- what's -- Birth to Five, Voices for Illinois Children, there was a lot of work done on this. So, this is no rollover by the Approp Chair. I had very -- I have very few fingerprints on this. We avoided the most egregious things that everybody was concerned about, like eligibility, or bumping a kid out a program when he started to make progress, or a limitation on who could get in. So, just take some of the agonized concerns with a grain of salt. The alternative to doing this program the right way was a grant-funded program that ran out of control and we were close to having to close down. So I think that the people who've done this have done a good job. And I -- I understand the ARC's concerns. I just think they need to temper it and be a little bit more reasonable about the fact, if you participate and you understand, it's not really fair, at the eleventh hour, to raise doubts among legislators who haven't had time to look at the whole thing. So I'll be happy to make the program better. I'll be happy to support anything that's better for kids. But I think, in the end, this has got to be about kids, not about what's convenient for grant providers.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate concur in House Amendments No. 1, 2, 3 and 4 to Senate Bill 461. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments No. 1, 2, 3 and 4 to Senate Bill 461. And the bill,

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having received the required constitutional majority, is hereby declared passed. Randy Squires, a freelance photographer working for the Associated Press, requests permission to photograph the Senate. Hearing no objection, leave is granted. With leave, we will return to Senate Bill 926. Senate Bill 975. Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 5 to Senate Bill 975.

Motion filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This bill takes care of two separate referenda technicalities, one in Lemont and one in the Indian Prairie School District, which is located in Aurora, Naperville Plainfield and Bolingbrook. Both referendums passed overwhelmingly. There was a technical glitch. There is a grandfather language in here, and the -- the language also sunsets. It's technical in nature. Both referendums passed overwhelmingly, and I'd be happy to answer any questions, as would Senator Lauzen. And we'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 5 to Senate Bill 975. All those in favor will vote Aye. Opposed will vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments No. 1 and 5 to Senate Bill 975. And the bill, having received the required constitutional majority, is hereby declared passed. House {sic} Bill 994. Madam

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Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 994.

Motion filed by Senator Noland.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On Senate Bill 994. I beg your pardon. Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. The House amendment changes the name of the program to AgriFIRST Program. And it deletes the Infrastructure Development Advisory Board. This will provide the framework for the -- to implement the Governor's three million dollars in the budget for the value-added program for agriculture. I just want to thank Governor Ryan and -- and Director Joe Hampton for their leadership and commitment for agriculture with this program. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 994. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 994. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1176. Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 1176.

Motion filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. This is an initiative of the Illinois Department of Revenue. There were three House amendments. One is, currently, if the Department of Revenue is working with the IRS on a tax refund, the IRS charges nine dollars and sixty-five cents to the Department. The Department wishes to pass that nine dollars and sixty-five cents on to the taxpayer. Amendment 2 would exclude the Motor Fuel Tax Law from second provision in underlying bill requiring mandatory electronic fund transfer. And Amendment 3 clarifies the state-to-state offset provision in the House Amendment 1, and it only applies to individual taxpayers. Know of no opposition. Ask for your support on this concurrence motion.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 1176. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 1176. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1273. Senator Robert Madigan. ...Bill -- 1504. Senator Syverson. Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1504.

Motion filed by Senator Syverson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

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SENATOR SYVERSON:

Thank you, Mr. President. On this legislation, this is something we passed earlier with the promise that we would work with the House and negotiate what we believe was a -- a better -- better language that everyone can agree with. This language has been worked out with the Department of Human Services, Public Health, AFCSME, Illinois Health Care, ARC of Illinois, Equip for Equality. And while not all the parties are supporting this amendment, there is no known opposition at this time. This compromise language is a step in the right direction in the registry process. And under this amendment, only the worst offenders, physical and sexual abuse and egregious neglect, will be reported to the registry. This system does not exactly mirror the abuse and neglect registry that's currently in place at the Department of Public Health; however, the negotiators agree to take this first step in at least preventing the worst offenders from working and providing care for our most vulnerable citizens in Illinois. Again, I'd like to -- appreciate the help everyone gave on this and -- and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I stand to commend Senator Syverson for the hard work he did on this bill. This came through our committee many times. There were objections raised. Oftentimes they were pretty difficult and sticky. Senator Syverson did a fine job mediating some of these disputes and coming up with a good bill.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? If not, this is final action. And the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1504. Those in favor, vote Aye. Opposed,

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vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendments No. 1 and 2, and having received the required constitutional majority, is declared passed. ...had leave of the Body during the progress through the Calendar, on Senate Bill 926. We'll go back to that order of business. We have Senate Bill 926. Senator Dudycz, would -- Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 926.

Motion filed by Senator Dudycz.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 926, as it left the Senate, amended the International Tourism Program for 2001 funding and each year thereafter by stating that fifty-five percent of grant funds shall go to convention and tourism bureaus in Chicago with not less than twenty-seven and a half percent to bureaus other than the City of Chicago's Office of Tourism. House Amendment No. 1 adds an immediate effective date. And House Amendment No. 2, under DCCA's grants to local tourism and convention bureaus program, requires that DCCA may provide, subject to appropriation, contractual funding from the Tourism Promotion Fund for the administrative costs of not-for-profit regional tourism development organizations that assist DCCA in multi-county tourism. This -- House Amendment No. 2 changes this funding mechanism from contractual funding to grants. It also adds to DCCA's purpose Section that it's the policy of the State to increase the economic impact of tourism through promotional

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activities. Provides that DCCA shall have the power to promote tourism through all media, including but not limited to, the Internet and television, and adds that DCCA may do any other acts necessary in fostering tourism in Illinois. And I would be happy to...

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action -- Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. Just a -- question of the sponsor, if he'd yield.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, is this the McCormick -- McCormick Place trade-off?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

No.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Any further discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 926. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 56 voting Yes, 1 voting No, no voting Present. The Senate does concur in House Amendment 1 and 2 to Senate Bill 926, and having received the required constitutional majority, is declared passed. We also had leave of the Body to go back to Senate Bill 1283. Senator Robert Madigan. At the bottom of page 3, on Supplemental Calendar No. 1, we have Conference Committee Reports. First one is Senate Bill 629.

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Madam Secretary, do you have a file -- do you have on file a conference committee report on Senate Bill 629?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 629.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bomke.

SENATOR BOMKE:

...you -- thank you, Mr. President and Ladies and Gentlemen of the Senate. You -- you may recall, 629, when it left the Senate, dealt with cruelty to animals by adults and juveniles, instigated by juveniles, encouraged by adults, to find fighting dogs and -- by any number of means, and to find animals to train these dogs. As I recall, there was no opposition. When it got to the House, there was an amendment added on. Came back over here. There was some opposition. To neutralize that opposition from the Farm Bureau, the Pork Producers, the Beef Association, the -- IDNR - I'm also told the Trappers Association is now neutral on the bill - the amendment defines companion animal hoarding, which -- hoarding of -- of companion animals has been a problem in the southern part of Sangamon County and, I'm told, throughout this State. It sets a procedure for the seizure of an animal by law enforcement officers. Requires certain person to post security for the care of an animal that has been seized while the case is being adjudicated. Provides for the adoption and -- euthanasia of the seized and forfeited animal. Provides civil and criminal immunity to veterinarians, and allows courts to order the psychological examination and treatment of persons convicted of the violating -- of violating the Act. And be happy to address any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

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Thank you, Mr. President. Will sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, did the House make any amendment to the original part of the bill, 629? In other words, is it still in the same shape as when we sent it over to the House?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bomke.

SENATOR BOMKE:

Yes, it is.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall the Senate adopt Conference Committee Report on Senate Bill 629. And those in favor, vote Aye. Opposed, vote No. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 629, and the bill, having received the required constitutional majority, is declared passed. Page 4, Supplemental Calendar, is Conference Committee Reports. Madam Secretary, do you have a file -- a conference committee report on Senate Bill 1514?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 1514.

PRESIDING OFFICER: (SENATOR WATSON)

The Chair recognizes Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 1514, as it left the Senate, was a shell bill. The House amendment created the offense of theft of motor fuel, providing that no person may operate a vehicle as to cause it to leave the premises of an establishment

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at which motor fuel offered for retail sale was dispensed into a fuel tank of the vehicle unless the fuel has been paid for. And a Class -- a violation would be a Class A misdemeanor punishable by a fine of two hundred fifty dollars or thirty hours of community service. So when the concurrence motion on House Amendment No. 1 was being discussed in committee, our -- our Chairman of the Judiciary Committee, Senator Hawkinson, suggested that language be changed to provide that the person must knowingly leave the gas station without paying. This will ensure that someone who leaves accidentally without paying would not be penalized. So this Report simply adds the word "knowingly" to the language that was -- was originally added by the House.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate adopt Conference Committee Report on Senate Bill 1514. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1514, and the bill, having received the required constitutional majority, is declared passed. ...Secretary, Messages from the House.

ACTING SECRETARY HAWKER:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1285, together with House Amendments 1 and 4.

Passed the House, as amended, May 31st, 2001.

PRESIDING OFFICER: (SENATOR WATSON)

Committee Reports.

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ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendment No. 2 to Senate Bill 103, Motion to Concur with House Amendments 1 and 3 to Senate Bill 161, Motion to Concur with House Amendments 1 and 4 to Senate Bill 1285, Senate Amendment No. 2 to House Bill 2125, Senate Amendment No. 2 to House Bill 3489, Senate Amendment No. 2 to House Bill 3493 and Conference Committee Report No. 1 to Senate Bill 435.

PRESIDING OFFICER: (SENATOR WATSON)

We're back on the regular Calendar, and we're on page 22. Middle of page 22. Secretary's Desk, Resolutions. We have Senate Resolution 153. Madam Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This amendment would authorize the elections task force to be able to expend money, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor -- is there any discussion? Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I know we're getting -- the hour's getting kind of late. People aren't really paying too much attention. First of all, Mr. -- Mr. Presiding Officer, you didn't ask leave to go to this order of business, but since we are at this order of business, on Secretary's Desk, back on the order of the regular Calendar, on

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page 22, with Senate Resolution 153, I didn't hear a word Senator Dillard said with respect to what we're doing with this.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard, would you like to explain the -- Amendment No. 1 again, please?

SENATOR DILLARD:

Thank you, Mr. President. Thank you, Senator Demuzio. Amendment No. 3 - No. 3 is the resolution that allows the task force to make expenditures. And Amendment No. 1, which was approved in committee, actually becomes the task force.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you very much, Mr. President, Ladies and Gentlemen of the Senate. As I recall correctly, this task force is a task force that is -- contains seven members appointed by the President. Three shall be public members who have expertise in the election process and four shall be Members of the Illinois Senate, one of whom shall be designated by the -- as co-chairperson. And the -- seven members appointed by the Minority Leader. Three shall be public members who have expertise. Is this -- is this commission now fourteen members, with seven appointed by the President and seven appointed by the Minority Leader?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

It's eleven members, Senator Demuzio. You may be looking at an amendment that was filed by Senator del Valle, which, I think, had the task force size larger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

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Yes, Senator Dillard, I -- I was. I was looking at the fairest amendment of all that was not considered by the Rules Committee, to make sure that we had, clearly and truly, a bipartisan committee to study the problem of elections in Illinois. However, this is a little bit tilted to the Republican side because it has one more member than ours. It can hardly be called a bipartisan committee. It's unfortunate that Senator del Valle's amendment did not be considered by the Rules, not been adopted, and if it had, it would have given this -- this task force some -- some integrity and some -- some credibility. Unfortunately, regardless of what happens with this, it probably will not.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Dillard, is there a cap on the amount of money that can be expended by the task force?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

No.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Are there funds in this year's budget allocated for the task force?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

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SENATOR DILLARD:

Generally, Senate Operations has funds for all task forces, and maybe this task force will never spend a dime.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. So then, is it -- is it my understanding the funds would come from Senate Operations, if -- if there's funds expended?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

It's -- it's our intent that Senate Operations would cover any cost, if any, for this task force.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Yes. Thank you, Mr. -- Mr. President. I'll be brief. I'm not going to say I'm speaking for the bill, 'cause the last time I spoke on one of Senator -- Senator Dillard's bill, it went down to a -- so I'll try to do this in a roundabout way. First of all, notwithstanding what Senator Demuzio just mentioned, and also the -- the amendment, which -- by Senator del Valle, which would have made it a better bill -- certainly, I think would have gave it a little more credibility. As far as integrity, there's integrity with whatever Members of this Body sit there. The integrity is never a question. Credibility by the public might be. However, I think this is a -- is an -- task force that must meet. We have to do something about elections. It must be done. And if this is the only way we're going to do it, I think we have to vote for it. The only thing I would ask the sponsor, if the sponsor would yield, and I'll ask it now and then sit down - the only thing I

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would ask the sponsor -- I know we've talked about touch-screen voting. And I know it might be a little nerve-racking and people in my district who might feel a little computer-illiterate and it might scare them off, but I think we have to talk about touch-screen voting in certain parts of this State. And hopefully, five, ten, fifteen years from now, we can have it statewide, where all of our people can not be afraid of this, because I think that's the route to go. And I would hope that we spend a lot of time on touch-screen voting. And I would like to know, is there going to be some bill that we see tonight or -- that -- that may be able to move this forward?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you. Senator Molaro, first of all, I would hope that this task force would look at touch-screen voting. It's something we -- we need to explore. To answer your question, there is a bill of Senator Karpiel's here, I believe sponsored by the Speaker himself in the House, and it's Senate Bill 945 that we have suggested that perhaps the Speaker would want to amend, since it's in his Chamber, to at least start the certification process for touch-screen voting by the State Board of Elections.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Walsh.

SENATOR L. WALSH:

Senator Dillard, is -- is it your direction that -- that this task force would take the place or the -- the responsibility of the subcommittee in our Local Government -- Local Government

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Committee in regards to elections?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Senator Walsh, it doesn't take the place of the subcommittee of the Local Government Committee on elections. This task force is not going to consider any particular bills. And, you know, bills would have to be considered by yours and mine, for lack of a better word, election subcommittee to the Local Government Committee.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR L. WALSH:

Is this something that could have been addressed during the course of the summer by our Local Government Committee?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

We wanted to appoint public members with expertise, and anytime we get the opportunity to serve with members of the private sector or experts, I think that's a good thing. So, our subcommittee would have been just a little bit more narrow, and we need this outside expertise, I believe, on something as complex as voting integrity.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'll be very brief. I'm looking at the resolution now, and I just want to make sure I have this right. As I understand the resolution, the task force shall consist of seven members appointed by the President of the Senate, four members appointed

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by the Minority Leader. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Correct.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Obama.

SENATOR OBAMA:

To the bill, I'll -- I'll say this maybe a little more bluntly than -- than I should: I think it's no secret in this Chamber that we have a significant self-interest in the outcome of elections. There were a variety of election reforms that were initiated through legislation through the Local Government Committee. I had two of them that would have allowed for second-chance voting during elections. I know that you raised some concerns, and others raised some concerns, about the sanctity of the ballot box. I notice that language is in here today. But -- but I don't think that we should suffer any illusions that this task force is actually going to arrive at any kind of bipartisan, academically sound consensus in terms of how we're going to restore the integrity of the election process, because the truth of the matter is, is that everybody knows, one side of the aisle thinks that it's to its advantage to depress votes in certain areas and others want to seek to expand votes in those areas. And whatever mechanisms that we come up with are going to end up being perceived by one side or the other as having provided a strategic advantage in upcoming elections. So, although I would like to support a bill that has such a lofty title and a lot of "whereases" that sound pretty good to me, you know, I -- I hope we're not going to take the -- the -- the notion that we're setting up a Senate resolution like this -- or, Senate task force overly seriously, because I can assure you that the public will

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not.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? This is the amendment. And Senator Dillard, to close.

SENATOR DILLARD:

Just for point of clarification, this is -- we adopted Amendment No. 3, correct, Mr. President?

PRESIDING OFFICER: (SENATOR WATSON)

No, we have not. This is on amendment -- we're on No. -- Amendment No. 1.

SENATOR DILLARD:

Okay. Amendment No. 1 is the task force itself, which went through the committee, and Amendment No. 3 is the ability to expend money.

PRESIDING OFFICER: (SENATOR WATSON)

Those in favor, say Aye. The Amendment, 1. Opposed, No. The Ayes have it. Amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you. This is the ability, if any, to expend money, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Madam Secretary, please read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 153.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Dillard.

SENATOR DILLARD:

Thank you. I think we've discussed this a lot, and this is what I refer to as the "I" vote - or Integrity in Voting Task Force. And I do want to point out that while the Senate President may appoint more Members than the Minority Leader, with respect to actual Senators on the committee, Senator Philip only gets to appoint one more Member than Senator Jones. And I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 50 voting Yes, 7 voting No, no voting Present. And the resolution is adopted. Going to go to page 24 of the Calendar, regular Calendar. Middle of the page is Secretary's Desk, Non-concurrence, House Bills. ...is not final action. House Bill 2. Mr. Secretary, are there any motions filed?

SECRETARY HARRY:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 2 and request that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR WATSON)

Senator...

SECRETARY HARRY:

The motion, by Senator Mahar.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

I would so move that the -- we refuse to recede and a conference committee be appointed.

PRESIDING OFFICER: (SENATOR WATSON)

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All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. House Bill 273. Senator DeLeo? Senator DeLeo, would you please make the motion?

SENATOR DeLEO:

Thank you, Mr. President. I'd ask to refuse to recede on Senate Bill -- Senate Amendment No. 1 to House Bill 273.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. House Bill 418. Senator Rauschenberger? You have a nonconcurrency motion? Out of the record. House Bill 2207. Senator Tom Walsh. Mr. Secretary, is there a motion filed?

SECRETARY HARRY:

I move to refuse to recede from Senate Amendments 1 and 2 to House Bill 2207 and request that a conference committee be appointed.

The motion, by Senator Walsh.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I move that we refuse to recede and appoint a conference committee for House Bill 2207.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh moves that the Senate refuse to recede from the adoption of Senate Amendments No. 1 and 2 to House Bill 2207 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Donahue, you have a motion on House Bill 3247. Mr. Secretary, please read the motion.

SECRETARY HARRY:

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I move to refuse to recede from Senate Amendments 1 and 2 to House Bill 3247 and request that a conference committee be appointed.

The motion, by Senator Donahue.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 3247 and that a conference committee be appointed. Is -- all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And the Secretary shall so inform the House. With leave of the Body, we will return to page 22, Secretary's Desk, Resolutions. ...Resolution 150. Mr. Secretary, please read the resolution.

SECRETARY HARRY:

Senate Resolution 150, offered by Senator Philip.

No committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 150 is very, very simple. It deals with hunting, fishing and trapping. Individuals should have the right to hunt, fish, trap, and take game subject only to reasonable restrictions prescribed by law. A very simple thing. It comes from my hunting and fishing friends. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. ...leave, we will return to page 2 of Supplemental Calendar No. 1. Leave was granted earlier. We have Senate Bill 188. Mr. Secretary, would you please read the motion?

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SECRETARY HARRY:

I move to concur with the House in the adoption of their amendment, Amendment No. 1, to Senate Bill 188.

The motion, by Senator Philip.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 188, as it went over to the House, simply did this: It allowed schools to have a -- hold a teachers institute day on the day of the election. It gives them the flexibility to do it or not do it. And the rationale for that was, sometimes, when kids are in school and they have an election going on, they have some unusual people come into the school. So in some cases, it's a security problem. This is one way to -- to help that security problem. Then when it went over to the House, the Speaker requested four amendments. So the rest of the bill - and I'll explain the amendments - came from the Democrat House Leadership. First - there's four -- four -- four amendments - requires local election authorities to provide the State Board of Elections with updated voter registration information within ten days after the close of each registration period. Number two, for judicial retention, permits election authorities to list the names of all the judges seeking retention in the same -- with first position on the ballot. Number three, includes a State Mandate Act exempting -- exemption from State reimbursement. Number four, provides the provisions of this bill will take effect immediately. And they did that so it'd be ready for the coming November election next year. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur

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in House Amendment No. 1 to Senate Bill 188. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 188, and having received the required constitutional majority, is declared passed. We're now proceeding to Supplemental Calendar No. 2, and we're at the top of that Calendar. On page 2, we find Secretary's Desk, Concurrence, Senate Bills. Has the Calendar been distributed? Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Question of the President.

PRESIDING OFFICER: (SENATOR WATSON)

Please proceed.

SENATOR BURZYNSKI:

Mr. President, I loved your very melodious, soft voice this evening, but it's very difficult to hear. So, appreciate if you could just speak up just a tad.

PRESIDING OFFICER: (SENATOR WATSON)

We are on page 2, Secretary's Desk, Concurrence. Senate Bill 103. Senator Luechtefeld. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 103.

Motion filed by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Senate Bill 103 originally left here with allowing Jackson County and the

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Massac County Transit District to -- to receive State funds. It's been amended with Amendment 1 which added on two mass transit districts in Southern Illinois - one, South Central, and the other one is called RIDES - and it allowed them to come up to the -- the State fifty-five-percent funding level. Basically, that's what the bill does -- or, the amendment does. Would be glad to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 103. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 54 voting Yes, 3 voting No, no voting Present. Senate does concur in House Amendment No. 2 to Senate Bill 103, and the constitutional majority having been received, the bill is declared passed. Senate Bill 161. Senator Syverson? Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 161.

Motion filed by Senator Syverson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. What this amendment does is create a fifteen-member task force to look at the long-term care funding in this State and how that interacts with IFCDDs {sic} (ICFDDs), skilled pediatric facilities, sheltered care facilities and other issues. Again, this is language that has been worked out with the House. Be happy to answer any questions, but I think it's something that is long overdue, that we take a good review of

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these rates.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

If the -- a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

What's the -- the makeup of the -- of the task force?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

There are four legislators, one from each caucus; the Director of Public Aid; a representative of DHS, Department of Aging, AARP, Illinois Health Care (Association), Illinois Council on Long Term Care, Life Services (Network), County Home Nursing {sic} (County Nursing Home) Association, Illinois Nursing Home Administrators Association, Long Term Care Nurses Association; and a representative from organized labor would be those that would make up this committee.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, I think that's -- that's a task force.

PRESIDING OFFICER: (SENATOR WATSON)

Wonderful. This is final action, and the question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 161. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment 1 and 3 to Senate Bill 161, and the constitutional

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majority having been received, is declared passed. Senate Bill 1285. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 4 to Senate Bill 1285.

Motion filed by Senator Philip.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip yields to Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I recommend that we concur in these two House amendments to the incentives for the Boeing Corporation to move to Illinois. The amendments limit the EDGE program to sixty percent, which Boeing always knew was going to be. It also clarifies in statute that any school district that abates taxes gets held harmless. The Boeing Corporation, to their credit, has always said they didn't want any property tax abatement from school districts. And it also puts a sunset date in the Act. Just to close, Mr. President, this was a good deal a week ago when we voted on it; it's a great deal today. And two things -- statistics have come to light since I presented this bill originally. The charitable giving of the Boeing Corporation last year, which I said was fifty million dollars in debate, is in actuality ninety-five million, because they have an additional program where employees contribute. So the Boeing Corporation gave to charity three times what these State incentives are, last year. And also, I know you received from the Illinois Department of Commerce and Community Affairs a listing by congressional district that Boeing, last year alone, in the State of Illinois, purchased one-half billion dollars - a half a billion dollars - in component parts from Illinois manufacturers, and it's only going to get bigger. This is a great bill, and we should all be on it. Thank you.

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PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Quick question. Is this the same financial package on Boeing as it passed the Senate?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Essentially, yes.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

My question is, that there is some provision in this that tightens this up, that this can only be used for Boeing by DCCA. They have to -- would have to come back for other statutory changes and language if -- if some other Fortune 500 company or someone else along that nature would decide to come here?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

There is a sunset date in here, Senator Demuzio. So, you know, in the future, another company like Boeing would have to come back before us.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not - this is final action - question shall be, shall the Senate concur in House Amendment 1 and 4 to Senate Bill 1285. Those in favor, vote Aye. Opposed, vote No. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment 1 and 4 to Senate Bill 1285, and having received the required

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constitutional majority, is declared passed. We're now at Secretary's Desk, Non-concurrence, House Bills. Madam Secretary, do you have a motion on House Bill 1640?

ACTING SECRETARY HAWKER:

Yes. I move to refuse to recede from Senate Amendment No. 1 to House Bill 1640 and request that a conference committee be appointed.

Motion filed by Senator Thomas Walsh.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Tom Walsh moves that the Senate refuse to recede from adoption of Senate Amendment No. 1 to House Bill 1640 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And the Secretary shall so inform the House. House Bill 1840. Madam Secretary, do you have a motion to read?

ACTING SECRETARY HAWKER:

Yes. I move to refuse to recede from Senate Amendment No. 1 to House Bill 1840 and request that a conference committee be appointed.

Motion filed by Senator Petka.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka moves that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1840 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And the Secretary shall so inform the House. ...are still on page 2 of Supplemental Calendar No. 2. Conference Committee Reports. Madam Secretary, do you have a file -- do you have on file a conference committee report on Senate Bill 435?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 435.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 435 has three things on it, as we voted as it -- on it as it came out of the Senate. One was for the Department of Corrections to establish better standards for treatment of people with mental illnesses; also, to put together a task force that they would be working on and to inspect the jails; and then the third one was to have orders done by the court if there were psychotropic drugs that were to be used on certain people with mental illnesses that would be going into trial. That particular Section is the one that we are deleting from the bill because we have heard since that there are concerns with the State's attorney. So we would just like to go with the first two. And what this concurrence does is delete the third provision on the psychotropic drugs, and we will work on that over the summer. I would ask for an Aye vote and answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 435. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. The Senate does adopt Conference Committee Report on Senate Bill 435, and the bill, having received the required constitutional majority, is declared passed. Back on the regular Calendar. House Bill 3rd Reading. Page 14. House Bill 843, in the middle of the page there. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 843.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 843 had a little longer life than normal because it was thought that we might have some telecommunication tax simplification to add to this very good underlying bill. That did not emerge, so we're -- I'm now just moving the underlying bill to the Governor. Essentially what this bill does is brings Illinois into compliance with a -- a national effort to standardize the sourcing of mobile telecommunications calls for taxation purposes. This bill embodies the agreement between the National Conference of State Legislatures, the NGA and the congressional committee that -- that worked with the -- the industry on coming up with mobile sourcing standardization. Essentially what this does is requires -- or, only permits taxation of mobile telephones and -- and the activity on mobile telephones to the location of primary use, generally defined as the billing address. It had no opposition in the House. I know a little bit more about it. I could probably talk more on it if you'd like. I'll be happy to answer questions, and I would appreciate favorable support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 843 pass. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 56 voting Yes, no voting No, 1 voting Present. House Bill 843, having received the required constitutional majority, is declared passed. We're on page 16. This is a recall. Senator Karpel wishes to return this bill to the Order of 2nd Reading for the purpose of an amendment. Is

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leave granted? Hearing no objection, leave is granted. On the Order is -- 2nd Reading, House Bill 3050. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. The amendment to House Bill 3050 changes the underlying bill, primarily in that it changes the foundation level from forty-six hundred, I believe is the -- the bill had, to forty-five sixty, which was the recommendation of the -- the Advisory Board. And it changes the poverty level from fifteen percent down to zero percent. And I'll be very happy to discuss the bill when the amendment's on.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? All -- if not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are now on 3rd Reading, and we have House Bill 3050. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3050.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

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Thank you, Mr. President. House Bill 3050 does basically three -- three things. It is -- first of all, it is the recommendation of the Education Funding Advisory Board, with -- with a few changes. It has a current foundation level of forty-five sixty, which was the recommendation of the Advisory Board. It says the average daily attendance can be either the greater of either -- of either data from the school year immediately preceding the school year for which the State aid is being calculated or the average of the attendance data for the three preceding school years, and it holds -- continues to hold harmless through FY'02. And then we have -- with the amendment, we have lowered the poverty -- the level for which you could get poverty grants from fifteen percent, which was the recommendation of the Advisory Board, to zero percent. Basically -- and the continuing appropriation is continued through FY'02, and the State Aid Continuing Appropriation Law repeal date is moved back from June 30th, 2001, to 2002. Basically what this bill does, and I don't know whether everybody has looked at printouts of your school districts, is that although many school districts are getting less money this year because the ADA money is -- which is not in this bill but is in the budget, the ADA, in the calculations made by the Education Funding Advisory Board, was set at thirty-eight million dollars, compared to last year's a hundred and eleven million dollars. What we do with this bill, in addition to reducing the poverty level to zero percent so that all school districts that have any children that are at the poverty level will be getting some grants, we also -- we also put in the budget seventy-two million, I believe, for ADA. So while your -- your school districts might have been receiving less money than last year and would receive less money on -- under EFAB, under this proposal, with our amendment on the -- on this bill, all school districts will be doing -- I believe just about all school

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districts will be doing better than they would have under the EFAB recommendations, as recommended by the -- by the Board. We have changed the poverty grant to flat grants. That's a change in this amendment also. And if you have zero to ten percent poverty in your school district, you'll receive a flat grant of three hundred and fifty-five dollars per child. And then ten to twenty percent, you would receive six hundred and seventy-five dollars, which is higher than the EFAB recommendations, and it goes on like that. So I would be glad to answer any -- any questions that you might have.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise, essentially, to make sure that the Members of this Chamber understand what the proposals in House Bill 3050 do and what they don't do. In terms of the foundation level moving up, we are implementing the EFAB recommendation, which was to raise that by a hundred and thirty-five dollars. So we will go from a foundation level that for this year was at four thousand four hundred twenty-five dollars up to four thousand five hundred sixty dollars. And arguably, that is the best way that we can actually put money into the poorer school districts in this State that are reliant on the foundation formula. What this does not do is make sure that our school districts and the students in our poorer districts that are reliant on the foundation level are actually receiving an adequate amount of money for their education. There are two independent studies that have been done within the last six months, one by Illinois State University, one by an organization called Augenblick and Myers, that have both indicated that our foundation level here in the State of Illinois should be around five thousand dollars, if not higher, just to provide an

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adequate education. So while we are moving ahead and have done so for the past three years, we still have a ways to go, in terms of making sure our foundation level is able to provide an adequate education. In terms of the change in the ADA calculation, the EFAB recommendation is a good one, so that it will actually lessen the impact that school districts that are losing student population will not have as much of a financial hit if they can take this sort of alternative way of calculating ADA. The changes in the poverty grant, as Senator Karpel mentioned, EFAB had recommended that we move the concentration level down to fifteen percent. With this bill, by eliminating the requirement to have any concentration of low-income students in order to receive this money, we will now be pumping an additional almost seventy million dollars through the poverty grant into the general State aid formula. It's a good thing, if we believe that more students and more school districts should get more money, but what this does not do is it does not necessarily help low-income students in our State. And that's -- happens for two reasons. One, the method that we currently use to determine how many low-income students actually are within a school district is based on 1990 Census numbers, and it was widely acknowledged during our EFAB hearings -- and I know many people in this Chamber have complained about this as well -- that those 1990 Census numbers currently bear no reality to the number of students in a school district who are low-income because of demographic change. So, in some ways, what we now have is a situation where, almost haphazardly, money, because it's being pumped through this poverty formula, will end up in school districts. And some school districts do better and some school districts don't necessarily do much better, but there will be more money in those districts if there are some students that qualify as low-income. Secondly, because there is no requirement that the poverty grant money actually be used for low-income students on

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enrichment programs, again, we are not necessarily helping low-income students either be ready to learn or actually achieve better in school. So, I think one of the follow-ups that we need to do, if we are serious about helping our low-income students in this State, is to make sure that we put in requirements for how this money is spent. We have managed to reduce, by putting more money in the general State aid formula, our reliance on hold harmless. So I think we've reduced that by approximately twenty-eight million dollars. From the sixty-five million last year, we're now at around thirty-eight, thirty-seven million dollars for this year. That is a good thing, and that's part of what these EFAB recommendations were trying to do, is to pull some of these school districts that are reliant on hold harmless off of there. Finally, in terms of the continuing appropriation, we are happy to see that it is going to be put in place for at least one more year, but the EFAB recommendation, as has been mentioned previously, was to make sure that the continuing appropriation was made permanent. And this is very important for school districts, so that when they do their budgeting year-to-year, they don't have to wait until the end of our Session to know how much money they are going to get, in terms of being able to hire teachers, retain teachers, put in place programming. And so I think if we are serious about our commitment to the schoolchildren of the State of Illinois, we will work hard in the coming years to make sure that the continuing appropriation is made permanent. With that said, I think this is a pretty good bill. It certainly puts more money into education, and it -- I think it should be considered one of the accomplishments, in terms of the budget, that we are going to hopefully pass tonight. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

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Well, thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, last year, we spent X number of dollars for the poverty grant. How much has that gone up with this new sliding scale that you have? Do you have any idea what the -- what the new extra money is for poverty?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

Yeah, it's about seventy-three million dollars more.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

So that's seventy-three million dollars more into the poverty grants than would have been put into them if we'd have left it where it was at. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

Correct.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, Ladies and Gentlemen of the Senate, I rise in strong support of House Bill 3050, as it's amended, and I wanted to acknowledge the hard work that Senator Karpiel and Senator Watson and -- and the other -- and Members of the Senate Education Committee put in this Session to make this package become a reality. I also want to make sure that I acknowledge that the superintendents from the South Cook division of the Illinois

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Association of School Administrators were the ones who fought for and recommended that we eliminate any sort of a threshold for participation in the poverty grants. And so this is a victory for their tenacity and their hard work. I also want to say that I think this is truly an important day in Illinois in that we have decided that children who come from a poverty background will have the dollars that are intended to go for their benefit, from our State coffers and through the school aid formula, to follow them wherever they may be. And in -- in the strong belief that I have and -- and -- and support for local control and confidence in the decisions that local school board members and superintendents will make, I -- I strongly believe that those dollars will be spent wisely and -- and serve the best interests of those children. Lastly, with respect to the Census data, I think it's important for all of us to recall - in fact, I think Senator Madigan pointed out well - that the -- the -- the distribution of these dollars is based on the 1990 Census data, and the 2000 Census data is being compiled right now. And as soon as that is finalized, law, as it exists, need not be modified because it will actually provide that that new Census data will take effect and that those dollars will continue to flow and certainly reflect more accurately where these children are located and -- and where they're going to school. So, again, Senator Karpiel, I thank you for your hard work on this and congratulate you for your success. And keep doing good work.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Emil Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Jones.

SENATOR E. JONES:

Senator Karpiel, I heard you, in your statement, say the

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increase in the poverty dollar amount will be approximately -
what? - seventy-three million dollars, with the change in the
formula?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

Yes, over FY'01.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Emil Jones.

SENATOR E. JONES:

Now, these dollars will go to the respective school districts
but not the individual schools, and the district would decide what
schools get the money?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

It goes to the school district and they would apportion it
based on the number of children they have that meet the poverty --
that are in the poverty level.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR E. JONES:

Okay. The concern I have with this -- it is a good approach,
but there are no requirements whatsoever that these dollars be
spent for programs to improve the educational opportunity of
children from poor, disadvantaged families. What accountability is
-- is in this to assure that these dollars be spent on the
children or programs with the children that's going to help them
as far as their education is concerned?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpiel.

SENATOR KARPIEL:

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Senator, I don't know how long these poverty grant monies have been available - years, in Illinois - and the requirements for this money to be spent is the same as what we've been doing for the last number of years.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR E. JONES:

Well, again, and this is -- this is something that we should look at, as far as future legislation, as Senator Madigan has pointed out. You're using youngsters to generate more dollars for the school district, and we constantly talk about accountability. We should ensure that those youngsters who are generating these extra dollars, seventy-three million dollars in particular, that these dollars be spent on programs to improve educational opportunities for them, because just pouring more money into the schools and not being assured that these dollars are going to help the children who are generating the dollars, then we are not really doing what we intended to do and we're just using poor children to get more money into our schools. I trust that in the future, when we look at education, that we will look at it in the manner with which if we're going to do these things, which is a good deed to do, those dollars should follow the child, but at the same time, there should be some accountability back from those school districts to tell us what -- the programs they have to ensure that these children who are generating the dollars -- that programs are there to really help those children. We don't want to be doing this -- the word I heard down in southern Illinois, we don't want to be just fattening frogs to feed snakes, and I believe that's what's happening with many of these dollars.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? If not, Senator Karpiel, to close.

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SENATOR KARPIEL:

First of all, let me just respond to Senator Jones, in saying that I agree entirely. I do think that the money that we spend on schoolchildren in Illinois, not just the poverty grant money, but all money that we spend on children and education in Illinois should -- we should have accountability on that. And I think sometimes we do lack that, and that is something that we will continue to pursue. I would like to answer Senator Luechtefeld's question a little more clearly. Senator Luechtefeld, your district will be receiving, under this proposal, two million dollars more in poverty grants -- in poverty grants? - due to -- due to this formula than it did last year. I don't want any school -- anybody to think that we're taking the same amount of money and just spreading it among more school districts. There is actually more money in the pot to accomplish what we're trying to accomplish here. And if you have fifteen to twenty percent of -- of poverty students, you'll be receiving a level -- you'll be receiving six hundred and seventy-five dollars. So just going -- just going from zero to fifteen percent, which is what we're doing with this bill, we will now be getting money to fifty-five thousand more children in the State of Illinois than we would with the original EFAB recommendations. And that -- those fifty-five thousand children go to five hundred and fifty-three school districts. So I think what we're trying to accomplish with this bill is to -- is to have more -- more -- more school districts and more children be able to receive more money. And especially if you have poverty children in your school district, which I think once the -- the -- the 2000 Census is out and we get those figures in the State Board, we'll see a big change. I think a lot of suburban school districts will probably be -- have more poverty. And one last -- one last thing is to answer all of this about how we should be working on this, and that is to say, is the Education

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Funding Advisory Board is continuing to work. We'll be holding more meetings, I'm sure, this -- this summer and throughout the year, to try to find other ways to fund education and to make it more accountable.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 3050 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 3050, having received the required constitutional majority, is declared passed. We will proceed to page 15 on the regular Calendar. Page 15. In the middle of page 15, we find House Bill 2125. Senator Weaver seeks leave of the Body to return House Bill 2125 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2125. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senators Weaver and Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is the General Obligation Bond authorization that effectuates this year's State budget. I'd appreciate its adoption. I'll be happy to debate it or explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments

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approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We will now be on 3rd Reading, and we have House Bill 2125. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 2125.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As amended now, House Bill 2125 is the General Obligation Bond authorization that supports the FY'02 budget that we've all been so diligently working on for the last week or two. The current debt authorization for General Obligation Bonds in the State of Illinois is fourteen billion one hundred and ninety-seven million. This change would add one billion sixty-seven million to that authorization. So the proposed new debt ceiling for the State of Illinois will be fifteen billion two hundred and sixty-five million. General Obligation Bonds, as I suppose many people know, are divided up into categories. I have those category totals. If people would like specific answers about the levels, I'd be very happy to -- to give 'em to you. I will mention, though, that this does include the authorization for the five hundred million dollars of new coal development bonds that we all worked on in the coal project. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Trotter.

SENATOR TROTTER:

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Thank you very much, Mr. President, Members of the Chamber. This is an agreed bill. It is something that is necessary for us to pass to get this budget process on, and I recommend that everyone on this side of the aisle vote Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Any further discussion? If not, question is, shall House Bill 2125 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 2125, having received the required three-fifths majority, is declared passed. We're now on page 16 of the regular Calendar. We have House Bill 3489. Mr. Secretary, will you please read the bill? Excuse me. Senator Weaver asks leave of the Body to return House Bill 3489 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3489. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senators Weaver and Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bond authorization or the debt limitation on the Build Illinois bond authorization that -- that supports the FY'02 budget. I'd appreciate its adoption. Be happy to speak to it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

All those in favor, say Aye. Opposed, Nay. The Ayes have it.

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The amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are on the Order of 3rd Reading. We have House Bill 3489. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3489.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3489, as amended, is now the debt authorization for the Build Illinois bond funds. Build Illinois bonds work somewhat like a revenue bond. They -- they -- we have a set-aside of sales tax that goes into a sinking fund that's used to pay these bonds. The current authorization level in the four categories that are available is two billion eight hundred and fifty-two million. The increase in this bill of that limit is six hundred and eighty-eight million, for a new total of --- ceiling on that -- that bond -- indebtedness of three billion five hundred and forty million. I'd be very happy to answer questions. If people are interested in the apportionment between the categories, I'd be happy to speak to that.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Chamber. In this bill is included the dollars for the junior colleges and

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for the community colleges, and I ask for everyone on this side of the aisle to vote Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Further discussion? If not, the question is, shall House Bill 3489 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there's 54 voting Yes, 1 voting No, no voting Present. House Bill 3489, having received the required three-fifths majority, is declared passed. Proceeding on to page 17, top of page 17, we have House Bill 3491. And Senator Weaver seeks leave of the Body to return House Bill 3491 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3491. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3491 is the vehicle for the Budget Implementation Act. I'd appreciate the adoption of the amendment, and I'll be happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are now on 3rd Reading. House Bill 3491.
Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3491.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
House Bill 3491, as amended, is now one of the two Budget Implementation Acts that allow -- the substantive bills that allow us to implement the budget agreement for the Fiscal Year '02 budget. It contains a number of provisions, which I'll very briefly highlight and be happy to answer questions on. It contains emergency rule-making authority for those agencies and programs that have to act in an expeditious manner to implement their programs. It creates a Drug Rebate program {sic} (Fund) to receive the rebates we receive from pharmaceutical companies so that we can track them and expend them in a different way. It includes the Downstate Emergency Response Fund, which is -- will then be permitted to accept appropriated funds to operate, purchase, lease and maintain helicopters in an effort to solve the problem of the IDOT downstate helicopter -- emergency helicopters. It contains language very similar to House {sic} Bill 461, dealing with early intervention, in case that bill isn't signed by the Governor. It adjusts the Medicaid rates for ICFDDs and skilled pediatric facilities to implement the dollar-per-hour agreement that we have for workers who work in those kind of environments, as well as the two-percent COLA that's a part of the budget. It extends the sunset on the Department of Human Services program for

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immigrant nutrition and naturalization. It authorizes the Department of Public Aid to seek a federal waiver to receive match for our Circuit Breaker program for some low-income seniors who may be able to be qualified for that Medicaid program. It adds osteoporosis as a condition to our Circuit Breaker program. Opens up people subject to that condition to the benefits of our Circuit Breaker program. It amends the Excellence in Academic Medicine program to add Carle Clinic to the -- the pool of recipients from that program. It has special education Medicaid funding bills to allow claiming for some services provided in school-based Medicaid and clinic settings. That's the -- a quick overview of the provisions. I'd be happy to explain any of them if people would like more background on 'em.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. I do have a question and I would like, if I could, get some legislative...

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Yes. Okay. It's in Section 20, in reference to establishment of funds. If you would, Senator Rauschenberger, give me the legislative intent of the language that reads "The amount appropriated for any fiscal year after 2002 shall not be less than the amount appropriated for fiscal year 2002." Is that language into perpetuity, that we will be actually funding this project in perpetuity?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Trotter, you are -- are you talking about the

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Excellence in Academic Medicine program? I want to make sure my answer's cogent. Yes. The intent of that language, we think, is to make sure that in future appropriation years, that the pool is divided in the way that we're trying to achieve in the -- in the implementation language to make sure that the allocation to Carle stays there. For this fund to be reduced, either the Department would have to prorate the amounts to the three separate pools in the academic excellence program or the Legislature would have to go in, in their budget implementation language, at that time, and reduce or change this language.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Yes. Are there any other institutions that will be harmed by this language or by this action that we're taking here today?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

At the level of appropriation in the budget we're passing today, all the other institutions are held harmless. They're receiving what they would have received in the Governor's introduced budget. This adds an additional million dollars for the allocation to Carle.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. It's sort of a question for the sponsor, in a sense. You know, naturally, Senator Trotter gets up on our side because -- you know, trying to understand this budget stuff is really, really difficult, and so I just have to ask this question. Is there something in this bill, such as the last bill, that may be there, because I noticed last -- on the last bill -

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and I would never question it, except it is a budget bill, which I don't understand at all, so I looked to you and Senator Trotter, and I noticed that you were not voting. And I was wondering if there's going to be anything in this bill that would cause you not to vote that you would like to share with us, so then I maybe could follow -- you lead, and I won't vote either. And I was just wondering if there's something in this bill that we should be careful about, that you don't really want to share with the Body?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Molaro, I would tell you that there's nothing in the budget or Budget Implementation Act that's any more confusing than the condo legislation that sometimes you and Senator Cullerton advance. I don't find anything more obscure than that. Someday I hope to learn more about it. I intend to be enthusiastically casting a green light for this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? If not, the question is, shall House Bill 8491 pass -- excuse me, House Bill 3491 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 3491, having received the required constitutional majority, is declared passed. ...Bill 3493. Senator Rauschenberger seeks leave of the Body to return House Bill 3493 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3493. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

This is the second budget implementation bill. I'd appreciate the adoption of the Floor amendment, and I'll explain the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are now on 3rd Reading. We have House Bill 3493. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3493.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As amended now, House Bill 3493 is the second half of the Budget Implementation Act. It includes a number of provisions that I will briefly go through and be very happy to answer questions on. First, it permits, after the renovation of the Chambers, for Members of the House and the Senate to be able to purchase the chairs that we have been sitting in for nearly twenty-seven years. It does call for any Member wishing to purchase their chair to pay the original acquisition cost of the chair, which I'm led to believe is around four hundred dollars. So start saving up your

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pin money if you're hoping to buy your chair. It grants authority to the Space Needs Committee to enter into contracts for repair of any portion of the State Capitol Building that's occupied by the Legislative Branch. It has language dealing with the School Infrastructure Fund. It ends a monthly transfer of general revenue to that School Infrastructure Fund, because the tax sources are now sufficient and we don't require -- we've actually been building a surplus in that fund. It establishes four transfers in the statute: a transfer of 1.2 million to the Violence Prevention Fund in FY'02; to the Long-Term Provider Care {sic} (Care Provider) Fund on -- on July 1st, 2001, that essentially funds our adjustment in their cost report; transfer up to eighty million of the Tobacco Settlement Recovery to -- to help manage cash flow; and it permits five-million-dollar transfer to the Tourism Promotion Fund in Fiscal Year '02 through Fiscal Year '07. It also includes a series of transfers, at the direction of the Governor, into the Statistical Services Revolving Fund, from the -- from these funds that I'll enumerate, in an effort to permit the Executive Branch to move forward with their e-business initiative: from the General Revenue Fund, 8.45 million; from the Public Utility Fund, 1.7 million; from the Transportation Regulatory Fund, 2.65 million; from Title III Social Security and Employment Fund, 3.7 million; from the Professions Indirect Cost Fund, four million dollars; from the Underground Storage Tank Fund, five hundred and fifty thousand; from the Agricultural Premium Fund, seven hundred and fifty thousand; from the State Pensions Fund, two hundred thousand; from the Road Fund, two million; from the Health Facilities Planning Fund, one million dollars; from the Savings and Residential Finance Regulatory Fund, one hundred and thirty thousand; from the Appraisal and -- the Appraisal Administration Fund, thirty-six hundred dollars {sic}; from the Auction Regulation Administration Fund, thirty-five

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thousand dollars; from the Banks, Trust and Company {sic} (Bank and Trust Company) Fund, six hundred and thirty-four thousand dollars; from the Real Estate License Administration Fund, three hundred and thirteen thousand - for a total transfer, to effectuate the e-business program, of twenty-six million one hundred and ninety-seven thousand. It also permits funds in the Tourism Promotion Fund to be used for a five-million-dollar grant annually from Fiscal Year '02 through Fiscal Year '07 to a governmental entity with at least two million square foot of exhibit space located in Cook County. It -- it -- it amends the Income Tax Refund Fund to permit refunds to be calculated in accordance with our experience, rather than statutorily mandated levels. It permits transfers between the Budget Stabilization Fund and the Tobacco Settlement Fund to help us manage cash flow during the fiscal year, and it increases the level that -- of the Public Utilities Fund from 2.5 million to five million dollars, in part to fund the transfer for e-business and the additional eight hundred thousand dollars to fund the operations of the Illinois Commerce Commission. I'll be happy to answer specific questions.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Senator Rauschenberger, you made reference to the dollars that are going into the Tourism Promotion Fund. You stated that those dollars, at five million dollars, will be spent or be appropriated for the next five years -- next six years, I'm sorry. Next six years. Okay. Is -- is -- that language was changed from the original language. That was one of the amendments that you put

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forth. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Trotter, that's correct.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Was that an agreement with the City of Chicago, assuming that these -- the language here is for McCormick Place in the City of Chicago?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes, Senator Trotter, in communications between the Senate President and the Speaker of the House, the Speaker of the House contacted the City of Chicago and reliably informed us that they were comfortable with the six-year window. There was some controversy in -- in parts of the Senate about having that as a permanent transfer. As I understand it, reliably, the City has seen the language and is comfortable with it.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. I do rise in support of this language. This is another key to the process in which we are involved in right now, and this will move it forward. And I ask everyone on this side of the aisle to vote Yes.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.

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Will the sponsor yield for a quick question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, just so I -- just so I understand it. The five-million-dollar transfer to -- to the Tourism (Promotion) Fund, will that take an annual appropriation or -- or does the legislation state that the five million will be allocated each of the, I think, five years that this is to cover?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes. It will require an annual appropriation because each year you'll have to appropriate five million of general revenue into the Tourism Fund for the grant to be made. So, like the current structure where there is appropriation currently of the 4.8 million to McCormick Place, there'll be annual appropriation to make this transfer work.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Just one -- one -- one comment on that. Is there a commitment to -- from both sides of the Rotunda and both sides of the aisle that this will be funded at the five-million-dollar level? Otherwise, we run the risk of -- of depleting the entire Tourism Fund, which those of us in downstate, of course, would not like to see.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

As I understand it, both sides of the aisle and both sides of the Rotunda understand the change and are okay with it. You raise

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a good point though. We need to be cautious, 'cause if we were to stop making the appropriation without changing the transfer language, we -- we could be imperiling that statewide Tourism Fund.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator, the Tobacco Settlement Recovery Fund, we're taking the balance as of June 30th, 2001, and transferring that to the Budget Stabilization Fund. How much money do you anticipate being in that fund on June 30th?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Our -- our best estimate is that it'll be a little over two hundred million dollars.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

So, could you explain what the Budget Stabilization Fund does? Is that just general revenue -- to balance the general revenue against the entire budget?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

We ran into problems over the last two fiscal years because of the way we have statutorily structured our transfer language. For example, when we transferred out of the -- the State budget

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balance to create FIF for the Fund for Illinois' Future, which was used for very critical local initiatives that many legislators participated in, we transferred all of the money at one time on date certain, and what that caused in the Treasury was a temporary shortfall of cash. And so it made it very difficult for the Comptroller to, in an orderly fashion, release 'em. There was no need, necessarily, on reflection, to transfer those dollars all at the same time. Unfortunately, we have a lot of statutory requirements for immediate transfer. A very good example is our requirement for date-certain transfer to schools under the school aid formula. So what we're trying to do with this, and I think the Comptroller has seen the language and is comfortable with it, what we're trying to be able to do is to permit the -- the Comptroller and the Governor to kind of use the cash that's in the Stabilization Fund to help flow the large transfers that have to go out of the budget at date certain, like payrolls. But the -- the intent is not to use any of the -- of the value of it. It's kind of, in a way, permitting interfund borrowing between the -- the Budget Stabilization Fund and the General Revenue Fund.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall House Bill 3493 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 3493, having received the required constitutional majority, is declared passed. We're on page 16 of the regular Calendar. Middle of the page, we find Senate Bill -- or, excuse me, House Bill 3440. Senator Rauschenberger seeks leave of the Body to return Senate Bill -- House Bill 3440 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is

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House Bill 3440. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment contains the State budget. I'd appreciate the adoption of the amendment, and I'll be happy to say a few -- as few words about it as people would like on 3rd Reading and be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are now on 3rd Reading. Middle of page 16. House Bill 3440. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3440.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3440, as amended now, contains the entire State budget, including the capital projects, distributed mostly to either DCCA or the Capital Development Board, as well as some projects to

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individual agency. It includes all of the articles that deal with higher education and our State Board of Education budget, all the general State aid. In its totality, it's a fifty-three-billion-dollar document. The General funds are twenty-three billion four hundred million. That's about six hundred and seventy-nine million in General funds larger than the budget we passed last year. That's about a 2.8- or a 2.9-percent increase across. The fifty-three-billion size is somewhat misleading. It includes a lot of reappropriations because of the very large capital program we've had over the last two years. So you have to keep in mind, the core of the budget is really the General Fund's portion of it. As finally negotiated with the appropriation people, and most importantly, the Leaders and the Governor, it closes the hole in our Medicaid program, and gives it the thirty-day payment cycle. It effectively adds eighty million dollars to -- to deal with the long-term care cost report reform, which will help nursing homes across the State. It includes the funds to implement a two-percent COLA for human service providers across the State that provide important care to citizens of Illinois on April 1st of next year. It's late in the year, but at least it's progress. It includes the funds necessary to effectuate both the retroactive dollar an hour back to the first day of March of 2001, and prospectively for the full fiscal year, the dollar-an-hour increase in wages for those people who work with people in -- in developmentally disabled settings. It includes the EFAB program that Senator Karpel and Senator Madigan eloquently described on the Floor. It includes full funding for the universities at the Board of Higher Education introduced level. It includes the -- the total capital program of a little over 1.1 billion dollars of investment of Build Illinois funds and General Obligation Bond funds for constructions, as well as the more than 1.1 billion dollars of other funds -- bond funds, which

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would include, of course, Series A/Series B transportation funding and school construction funds. It includes the two-hundred-and-forty-million-dollar increase in the school construction program that effectively wipes out the waiting list of any K through 12 district that has its entitlement and has passed its referendum. The budget's got lots more in it. For the most part, if you think about this, this budget, in the General Revenue portion in the State agencies, is almost precisely the same as introduced by the Governor. There's only a fifty-million-dollar variance across all agencies between what's in the budget and what's -- we're -- we're passing tonight -- or, addressing tonight. Most of those are changes in assumptions of use of funds. For example, there were a couple correctional facilities that in January we thought would be ready to open during the next fiscal year that will not be ready on time, and so that was a reduction we were able to use to help solve the problem in Medicaid. It's a good budget. It's an improvement over what the Governor introduced, and it was agreed to, but it's not without challenges maybe. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of this Chamber. I rise in support of this legislation, but before I tell you why I -- I support this legislation, I'd be remiss and disingenuous if I didn't articulate the dissatisfaction of the Members of the Democratic Caucus on this side of the aisle in the process and how we began this whole process with our Leader not being part of dealing with setting the parameters in how this budget should have been crafted. Also, there are some other concerns as well that I would articulate a little bit later. However, as Senator Rauschenberger has stated, there are some great things in this

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budget. We have done the right thing for the people of the State of Illinois with the dollars that we've had. Certainly everyone will agree this has been a different year than the ones we had in the past, and as a consequence, we had to do some different things. But one of the main things that we did differently, what was positive, is that in this year, in the tobacco money, we're spending dollars on health-related initiatives. We have put in over fifty million dollars of tobacco funds for smoking prevention, cessation and enforcement programs, and over a hundred -- one hundred and sixty million dollars for medical research and health-related capital projects, which is the right thing that we should be doing with those dollars. A couple of the other things that have gone -- and this has actually been mentioned already by Senator Rauschenberger, again, has been the dollars which were going to higher education. We have maintained that four hundred and sixty-one million dollars for our -- for our schools and for our children. But what we didn't do in this budget, is this budget failed to make the continuing appropriation for education permanent. That was an initiative of this Caucus. And what this budget did not do, is that we did not make prudent use of the federal Medicaid dollars, which we could have used to implement family care. We certainly could have done better, but we did a great job considering what we had to operate with this year. So, despite those omissions, I will vote for this, and I also recommend that everyone on this side of the aisle vote for it as well. And before I end my comments -- and I see everybody's lining up over there with Mike Bass. I just want to say personally, Mike, from this side of the aisle, myself, Elgie Sims and our staff, just want to thank you for working with us. We know how incorrigible you can be sometime and -- and -- but this year, for whatever reason - maybe you have a peace of mind because you're getting out of here and -- and you don't have to do what

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you do a lot, so you -- you've been a pleasure to work with. But in all sincerity, through the years. So, I do wish you the best in -- in what you're getting to -- forward to doing, to you and your wife and to your son, Tucker. And to -- since this may be the last time you hear me on the mike this year, thank you, Elgie Sims, my staff and -- and everyone else that has really helped to put this great budget together for the State of Illinois.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I will be voting for this bill, and I recognize that we've been operating under tighter times this year than we have in the past, and so I applaud Senator Rauschenberger and Senator Trotter for their hard work, as well as the staffs for their hard work on this bill. I think overall this bill provides numerous needed services to the State. I think it reflects some sound priorities. I'm happy to see what's being done with education. I'm happy to see what's being done with health care workers and the increases that they're going to be receiving. There is one major omission in this budget, and -- and I feel that it's incumbent on me just to mention it - Senator Trotter already talked about it - and that is the fact that we failed to fund family care this year. I'm disappointed that two hundred thousand working moms and dads will have to go another year without health insurance because we couldn't find seven million dollars this year, and sixty million dollars in out-years, out of a fifty-billion-dollar budget. I would say that that's hard to reconcile with our statements that, in fact, if you have working families playing by the rules, working hard every day, that they and their children will be adequately covered with their health care. What's -- what's most disturbing about this is that Illinois is going to end up losing

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almost one hundred million dollars in federal money this September that is meant to pay for two-thirds of the cost of family care. So, our -- our inability to discipline other areas of spending in order to secure that family care dollar means that we're going to lose a hundred million dollars in federal money. And I should point out that this week, New York announced, among other states, that they were going to start a family care program. So, essentially, the hundred million dollars that we could have been receiving this year is going to be going to New York and other states who are implementing family care. I recognize that there's not ideological opposition to family care. I recognize that Senator Rauschenberger early on supported the concept. Senator Trotter has been working on this issue for an extraordinarily long time. My Leader, Emil Jones, made this a top budget priority in discussions, and unfortunately, we did not get sufficient support from the other caucuses to move forward on this. But I would urge, at the very least, that Governor Ryan start the process now in order to get a federal waiver, because I'm hopeful that when we come back, that this is going to be at the top of our priority list. There is no reason that we can't do this. The federal government is willing to pay two-thirds of the freight to make this bill happen. I wish we had done it this Session. I'm certainly hopeful that we deal with this in the Veto Session or in the next Session.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

Move the previous question.

PRESIDING OFFICER: (SENATOR WATSON)

Well, there's no previous question to be moved. There's nobody else that wants to talk, Senator Hendon. Can't believe you didn't have anything to say. Senator Rauschenberger, to close.

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SENATOR RAUSCHENBERGER:

I'll close briefly, but I'd like to first thank the Members of the Appropriation Committee. While other people are sometimes getting out to receptions, the Members of the committee have been very patient with their chairman, and have sat through very long hearings while I asked what seemed like, many times, I suppose, inane questions. And in retrospect, maybe many of them were inane. I'd also like to thank Senator Trotter. He's a pleasure to work with. He's always very gracious and very patient with me. And it's really been a very good relationship, and I've learned a great deal working with him. I'd also like to thank the staffs, both sides, on -- on appropriation. People don't realize, but the last three days and three nights of Session really are kind of like training to be a -- a doctor, I think, in a -- in a hospital with a very active emergency room. We don't let them out into the light very often, but you can see them both ranged on both sides of the Chamber. And just an awful lot of appreciation goes to them and the hard work and the numbers they put together, and how much they have to draft and how quickly. And a quick thank you to very patient Leaders, both Leader Jones and -- and Senate President Philip, for their patience and listening to our suggestions, even though they don't use most of 'em. But they are very gracious to Donne and I. They let us be chairmen and -- and they do a lot of hard work in negotiating it. And, finally, I want to thank Mike Bass, who's really helped me become a good chairman. This is his last budget. He had the pleasure of drafting it with what I think is one of the finest staffs. I think that we -- we did real well for the orange and blue this year. And I just want to welcome him to the real world in a few months. Thanks, Mike.

PRESIDING OFFICER: (SENATOR WATSON)

We look forward to Mike Bass coming back and testifying before

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the Appropriations Committee and asking for those millions of new dollars for the University of Illinois, our flagship university. Congratulations, Mike. Thanks for your hard work. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall House Bill 3440 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. Senate -- House Bill 3440, having received the required constitutional majority, is declared passed. We do have some more business to attend to. And we also have a death resolution for a former Member. So we would like for all our colleagues to remain on the Floor. Earlier leave was granted to return to order -- Supplemental Calendar No. 1. Page 3. Middle of page 3 is Senate Bill 1283, under Secretary's Desk, Concurrence. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their amendment, Amendment No. 2, to Senate Bill 1283.

The motion, by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. House Amendment No. 2 removes the State income tax from the language contained in Senate Bill 1283. I would move to concur with House Amendment No. 2 to Senate Bill 1283.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not,

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this is final action. The question is, shall the Senate concur in the House Amendment No. 2 to Senate Bill 1283. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1283. And the constitutional majority having -- received, the bill is declared passed. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following measures are, pursuant to Senate Rule 3-9(b), exempt from the automatic re-referral provision of that Rule until November 1st 2001: Referred to the Committee on Education - Senate Bill 667; to the Committee on Executive - House Bills 173, 207, 934, 1087, 3098, 3162 and Senate Bills 127, 225, 457, 760 and 956; to the Committee on Financial Institutions - Senate Bills 77 and 1036; to the Committee on Insurance and Pensions - House Bill 48; to the Committee on Judiciary - House Bill 524, Senate Bills 27, 36, 112, 442, 733, 748, 1003, 1009 and 1327; to the Committee on Local Government - Senate Bills 6, 466, 468, 469, 470, 662, 1108 and 1286; to the Committee on Revenue - Senate Bills 232, 299, 367, 744, 1042, 1136 and 1498.

PRESIDING OFFICER: (SENATOR WATSON)

Message from the House, Mr. Secretary.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 789, with Senate Amendment No. 1.

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A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1171, with House Amendment 7.

Passed the House, as amended, May 31st, 2001.

We have a like Message on Senate Bill 1282, with House Amendments 1 and 4.

PRESIDING OFFICER: (SENATOR WATSON)

Resolutions, Mr....

SECRETARY HARRY:

Senate Resolution 174, offered by Senator Hendon.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any of the resolutions on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 41, offered by Senator Weaver.

(Secretary reads SJR No. 41)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 41. Those in favor, say Aye. Opposed, Nay. The Ayes

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have it. The rules are suspended. Senator Weaver has moved for the adoption of Senate Joint Resolution 41. Those in favor, say Aye. Opposed, Nay. The Ayes have it. And the resolution is adopted. Will the Members please be in their seats? And will our staff please retire to the gallery? And will the doormen please secure the doors? Senator Emil Jones moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution -- Senate Resolution 175. All those in favor, say Aye. Opposed, Nay, The Ayes have it. The rules are suspended. Please read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Resolution 175.

(Secretary reads SR No. 175)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President. It is fitting that we, on this last day of Session, honor one of our former colleagues who concluded his last day on earth nearly two weeks ago. As has -- as has often been said, this university here in Springfield, where we serve, you have an opportunity to mingle and meet with some of the best that Illinois has to offer. This great university gave us Frank -- Frank Savickas, who ably represented the far southwest side of the City of Chicago. Not only did he do well here, championing the causes of the -- the disabled, senior citizens, but he was involved in the partisan politics, which many of us are engaged in, being a ward committeeman of the City of Chicago, working for and with many Democratic State Representatives, congressmen, mayors and governors. But here in Springfield, we get to know each other. And one person once told me, he said, when you serve here with Members, you make a friend, you make a friend for life. No -- no matter where you go throughout the

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State of Illinois, it is this institution that affords you the opportunity to meet great people like Frank Savickas. He's going to be missed. He was in Florida, and I was shocked, as many of his other friends were shocked, to learn that he passed so suddenly. But he will always be with us because of the things that he'd done for the people that he represented and the people of the State of Illinois. Mr. President, I move the adoption of this resolution.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I just wanted to tell you about one bill that Frank Savickas had when he was here that I thought was one of the most interesting bills that I'd ever seen. Before we had riverboat gambling, Frank Savickas was a proponent of having dog racing here in the State of Illinois. And he had some friends who wanted to bring it here. And they talked about having dog racing in Wisconsin, so he wanted to bring it here. And one of the big objections to dog racing, racing greyhounds, is that if the dogs are slow, they kill 'em off. And this was brought up on the Floor. Frank took the bill out of the record, and the next day he came up with an amendment to address that particular issue. And at that time, you could have amendments on the Floor without going through committees. So Frank got up on the Floor and he explained his amendment. And what the amendment did was it put a tax on all wagering at the dog racing tracks to create a home, a retirement home, for these slow dogs so they wouldn't be killed. That was -- that was Frank's idea of -- of fixing that legislation. And I think everybody knows the story about his bill that said if you served here for ten years, you were entitled to practice law. I know Senator Jones was a cosponsor, I believe, of that bill, and he thought -- Jones still thinks it went into

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effect, but we try to remind him that it didn't. But -- but those were just two of the bills that Frank had. He was -- he enjoyed himself here, and I think we're going to miss him. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Viverito.

SENATOR VIVERITO:

I'm very proud to say that Frank Savickas represented our district of Burbank when he was very -- was first elected, in 1971, in a very close election. It was the very first time that we had a Democratic Senator from the suburban area. Frank and I worked well together as Democratic committeemen. I felt that he felt I was a good friend, and I was very proud to call him my friend. We certainly do miss Frank Savickas because he represented all the people in a fair and admirable way, and he was independent when he had to be. And I know, in my heart, when someone needed help, Frank was there to help 'em. We will miss you, Frank. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones moves for the adoption of Senate Resolution 175. All those in favor of this resolution, please rise. Resolution is adopted. There is any -- no further business to come before the Senate. Senator Wendell Jones moves that the Senate stand adjourned until the hour of noon, Wednesday, November 7th, 2001. Have a good summer.